

25, AUGUST 1947

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of
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25 AUGUST 1947

I N D E X
of
EXHIBITS

<u>Doc. No.</u>	<u>Def. No.</u>	<u>Pros. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
1890	3004		Excerpt from "Annual Report Fiscal Year 1945 - The Secretary of the Navy to the President of the US - Personnel on Active Duty by Type: Navy, Marine Corps and Coast Guard 1 July 1940 through 30 June 1945		26651
1500-B-2	3005		Extract from Exhibit 12 of the Joint Committee on the Investigation of the Pearl Harbour Attack - Congress of the US, 79th Congress, First Session re an Increase in Appropriations		26652
1978	3006		Affidavit of KONDO, Nobutake		26656
			<u>MORNING RECESS</u>		26661
1976	3007		Affidavit of MIYO, Tatsukichi		26709
			<u>AFTERNOON RECESS</u>		26713
1982	3008		Affidavit of FUCHIDA, Mitsuo		26731
1974	3009		Affidavit of GENDA, Minoru		26745

1 Monday, 25 August 1947

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3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, all Members sitting, with
14 the exception of: HONORABLE JUSTICE I. M. ZARAYANOV,
15 Member from the USSR., not sitting from 0930 to 1600.

16 For the Prosecution Section, same as before.

17 For the Defense Section, same as before.

18 - - -

19 (English to Japanese and Japanese
20 to English interpretation was made by the
21 Language Section, IMTPE.)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: With the Tribunal's permission
4 the accused ARAKI will be absent from the courtroom
5 all day conferring with his counsel.

6 Dr. Kiyose.

7 (Whereupon, Dr. KIYOSE spoke in
8 Japanese.)

9 THE PRESIDENT: This should not be done
10 without letting the Tribunal know.

11 THE INTERPRETER: We shall give the English
12 so far.

13 DR. KIYOSE: At the session on the 20th of
14 this month Mr. Conyns Carr stated to this Tribunal
15 that the original of the excerpt referred to by the
16 witness OKADA on August 5 had not been filed with the
17 Clerk's office and that he had not yet seen it.
18 Mr. Conyns Carr's statement is to be found on page
19 26,388 of the transcript. May I point out that this
20 is a gross error on the part of Mr. Conyns Carr. The
21 original of the document referred to by the witness
22 OKADA was filed by me with the Clerk's office together
23 with the witness' affidavit. It was not brought into
24 the court that day, but when I went to the Clerk's
25 office and called their attention to it it was

1 immediately brought into the courtroom. While
2 Prosecutor Conyns Carr was still at the lectern I
3 discussed the matter with my colleague, Mr. Logan,
4 who was in charge of the interrogation of the witness
5 OKADA, and I personally handed the document in question
6 to Mr. Conyns Carr.

7 May I continue?

8 THE PRESIDENT: Mr. Tavenner.

9 MR. TAVENNER: If the Tribunal please, I
10 see no value in proceeding with this matter now; and
11 I think it is a matter that we could discuss and that
12 if there are differences that we could iron them out.

13 THE PRESIDENT: We direct Dr. KIYOSE to
14 confer with you, Mr. Tavenner, before presenting the
15 matter to the Court again.

16 DR. KIYOSE: I spoke of this matter with
17 Mr. Conyns Carr the day before yesterday.

18 THE PRESIDENT: Well, now you are asked to
19 confer with Mr. Tavenner, who has invited that course.
20 You will be heard, if necessary, later.

21 Mr. Levin.

22 MR. LEVIN: Mr. President --

23 THE PRESIDENT: Mr. Levin, you are about to
24 mention a matter which we understand has already been
25 dealt with by the Court on the defense motions to

1 dismiss. We cannot hear the same application twice.
2 If we hear you twice we will have to hear everybody
3 else twice, perhaps three times. Can you explain,
4 can you satisfy us that this matter has not already
5 been dealt with?

6 MR. LEVIN: It may be, Mr. President, that
7 this matter has been considered in connection with the
8 notions to dismiss in a general way, because under
9 the notions to dismiss I presume most of the matters
10 involved in the presentation of the prosecution's
11 case have come up.

12 THE PRESIDENT: You heard what I said in
13 Chambers about this. I circulated that among my
14 colleagues, and I am satisfied that they are opposed
15 to hearing this application, or request as you call
16 it, because it has already been heard and refused.

17 MR. LEVIN: I take it, then, that the Court
18 will not hear the application?

19 THE PRESIDENT: That is so, Mr. Levin.

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1 H I D E M I Y O S H I D A, resumed the stand and
2 testified through Japanese interpreters as
3 follows:

4 CROSS-EXAMINATION

5 THE PRESIDENT: Captain Robinson.

6 CAPTAIN ROBINSON: Mr. President and Members
7 of the Tribunal, in accordance with the intimation
8 made by the President during the cross-examination
9 of this witness at the preceding session of the court,
10 in order to reduce the amount of cross-examination on
11 these naval statistical exhibits 3003-A and B, it is
12 proposed to state only briefly the prosecution's ob-
13 jection and to ask the witness four or five questions
14 preparatory to rebuttal at the appropriate time.

15 The prosecution attaches importance to these
16 documents because, if one gives attention to their
17 headings as "Comparative Tables" of naval strength and
18 to their interpretations of United States naval docu-
19 ments, they may appear to contradict part of the
20 testimony of Admiral Richardson before this Tribunal
21 on the subject of what United States naval records
22 show on comparative naval strength, on Japanese naval
23 preparations for aggressive war, and on the Japanese
24 carrier plane attack on Pearl Harbor on the 7th of
25 December, 1941, the date to which these two documents

1 are direct.

2 The prosecution's objection to the docu-
3 ments, as cross-examination on specific items may
4 have indicated, is not primarily to the statistics
5 themselves as stated for the Japanese Navy and in
6 large part for the United States Navy; the objection
7 is primarily to the distortion and the inaccurate
8 classifications of the statistics in attempting to
9 make them fit into so-called "Comparative" tables,
10 under headings, classifications, and definitions
11 which are not shown by the tables or otherwise to be
12 uniform in meaning and equal in application as applied
13 to Japan and to the United States, respectively.

14 The cross-examination can now be concluded,
15 it is believed, with four or five questions. These
16 questions are intended to assist in determining as
17 definitely as possible what specific issues of fact
18 are raised for consideration in rebuttal.

19 THE PRESIDENT: So far as you have given
20 evidence, and you have given a great deal, we dis-
21 regard your statements. You go beyond an explanation.
22 We are just as capable as anybody else of reading what
23 is in the documents upon which the defense rely, and
24 these documents, it is common ground, come from
25 Washington or other American sources. The defense, if

1 I understand the position correctly, have, on this
2 particular phase, not offered a single Japanese figure.
3 If I am wrong let me be corrected.

4 CAPTAIN ROBINSON: As the objection has
5 just been stated, your Honor, I thought I was pro-
6 ceeding in accordance with your Honor's instructions
7 as contained in the record, page 26,628, of Friday's
8 session.

9 THE PRESIDENT: You could have said that you
10 accept the American figures as correct, but you do
11 contend, more particularly, through Admiral Richardson,
12 that this witness has not made the right use of them.
13 That would be sufficient for all purposes.

14 CAPTAIN ROBINSON: I believe I can illustrate
15 the point, if the Court please, by these five con-
16 cluding questions to the witness on cross-examination.
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1 BY CAPTAIN ROBINSON (Continued):

2 Q Mr. YOSHIDA, directing your attention to
3 defense exhibit 3003-A, which you have entitled
4 "Comparative Table of Naval Vessels on Hand between
5 the U.S.A. and Japan as of 7 December 1941," what date
6 did you select as the date when a Japanese naval
7 vessel entered into that classification "on hand";
8 was it the date when its construction was completed,
9 or the date when it was commissioned, or the date used
10 in some United States Navy records, namely, the date
11 when completed and fit for service, or the date used
12 by Admiral Richardson before this Tribunal, namely,
13 the date when ready for combat service, or was it some
14 other date which you have selected?

15 MR. BRANNON: If the Tribunal please, we
16 object to that question as multiple in nature, tending
17 to confuse the witness. He can very simply state
18 what date he used.

19 THE PRESIDENT: Let the witness attempt to
20 answer. If he cannot, we will know what to do.

21 A In the former Japanese Navy, with respect
22 to the definition of ships on hand, there are various
23 dates, such as the date of transfer, date of commission--

24 THE MONITOR: Date of completion or date of
25 transfer.

1 A (Continuing) In this comparison or table
2 of comparison, I have used the very figures which I
3 used, I think it was last September, in reply to
4 Captain Robinson's inquiry with regard to vessels on
5 hand, and on the basis of those figures prepared this
6 statement. Therefore, there was no need to go to
7 any length or to go to any depth with regard to the
8 definition of war vessels on hand.

9 Q What data did you use in making your classi-
10 fication of the United States ships?

11 A With regard to United States war vessels,
12 I used, as I said last Friday, the figures exactly
13 as provided by the United States Navy as included
14 in court exhibit 3001.

15 CAPTAIN ROBINSON: If the Court please, I
16 would like to have the witness answer that question.
17 That is not an answer to the question.

18 THE PRESIDENT: Repeat the question to him,
19 Japanese Translator, please.

20 (Whereupon, the question was read
21 by the Japanese court reporter.)

22 A With regard to the United States Navy, there
23 was really no need to go into any thorough study of
24 the strength of the United States war vessels on hand.
25 However, I considered the matter. But after referring

1 to the documents as prepared by the United States
2 Navy, I have seen on the face of the documents the
3 figures, for instance, eight carriers, and which
4 carriers were the United States carriers on hand;
5 and, therefore, I used the figures of war vessels on
6 hand as given by the United States Navy and therefore
7 found no need of going into any thorough study of the
8 definition of what would constitute naval war vessels
9 on hand.

10 Q Therefore, in preparing a comparative table
11 showing what vessels were on hand on December 7, 1941,
12 you saw no reason to see whether or not the term
13 "on hand" meant the same for United States naval
14 vessels as it did for Japanese naval vessels?

15 A Of course, I considered the matter, but I
16 came to the conclusion it was not quite necessary.

17 Q This Tribunal wants to know -- or I wish to
18 know and place before the Tribunal -- how you came to
19 that conclusion; that is, what ~~you~~ dates were. Will
20 you answer the question?

21 THE PRESIDENT: Mr. Brannon.

22 MR. BRANNON: If the Tribunal please, the
23 basic document, the American figures which this
24 witness took and used to compile the chart, contain
25 the conclusions. We did not ask him for his conclusions

1 as to the date completed or on hand.

2 THE PRESIDENT: He is just a calculator.
3 Actually, I do not know what help he is. The docu-
4 ments are as good as he.

5 CAPTAIN ROBINSON: If the Court please, these
6 documents show nothing on that point.

7 THE PRESIDENT: He has no other information.

8 CAPTAIN ROBINSON: Very well. If it is suf-
9 ficient, then, we pass on to the next question.

10 Q The heading "Miscellaneous" as used by you
11 in both of your comparative tables: Please list
12 briefly the types and classes of ships, auxiliaries,
13 and other craft, which you include under this heading
14 for Japan and then for the United States, respectively.

15 A Let me first speak of Japanese vessels.
16 Mine sweeper, submarine chasers. But with regard to
17 mine sweepers and sub chasers, there are regular
18 vessels as well as converted vessels. Weapons supply
19 ship, and converted gunboat, and oil tanker. These,
20 generally, constitute the miscellaneous types, although
21 there are others.
22

23 With regard to United States ships which
24 fall into the miscellaneous class, no thoroughgoing
25 study was made except that we made some estimates
that the United States possessed quite a considerable

1 amount of landing craft besides those which I men-
2 tioned with regard to Japanese ships.

3 Q The fourth question: Directing your atten-
4 tion to defense exhibit 3003-B, which you have entitled,
5 "Comparative Table of Naval Vessels under Construction
6 between the U.S.A. and Japan, as of December 7, 1941,"
7 what date did you select as the date when a Japanese
8 naval vessel entered into that classification "under
9 construction"? Was it the date when the drafting of
10 the building plans was begun, or the date when the
11 construction was authorized, or the date when the
12 main construction order or contract was made, or the
13 date when the keel was laid, or was it some other
14 date which you selected?

15 A With regard to Japanese war vessels, I used
16 "ships under construction" to mean those for which
17 the keel was laid. There are also converted vessels,
18 and in connection with these I used for the date when
19 they were brought under the classification of "under
20 construction," the date when the conversion ~~was~~ actually
21 begun.
22

23 Q But for United States converted vessels you
24 used the date when the keel was laid, referring to
25 exhibit 3003-B, pages 4 and 5? I change that exhibit:
3001, pages 4 and 5, particularly page 5.

1 A With regard to the United States, I met
2 the same situation as in the case of ships on hand
3 and wondered for what reason certain of the war
4 vessels were included as those being under construction,
5 and it was difficult for me to select ship for ship
6 and arrive at their total tonnage.

7 Q Therefore, you entered the figures in such a
8 way as to make the Japanese figures seem smaller
9 and the United States figures seem larger?

10 A I have no such intention.
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1 Q One final question then, Mr. Witness. Now,
2 directing your attention to exhibit 918 and exhibit
3 3001 at page four and page five, if you apply your
4 same "Keel Laid" test to determine the number and
5 tonnage of both Japanese and United States Carriers
6 and converted Carriers, as shown by those exhibits,
7 may you not find that the totals for Aircraft Carriers
8 under construction on 7 December 1941, as stated by
9 you in exhibit 3003-B, should be as follows:

10 Japan	11 vessels	214,260 tons
11 U.S.	9 vessels	179,500 tons?

12 I do not ask you to take the time now in this
13 Tribunal to make the computation if you have not already
14 done so, but I would like to have your answer to that
15 question, yes or no, or that you do not know, or that
16 you have not made the computation.

17 MR. BRANNON: We object to the prosecution's
18 attempting to limit the kind and type of answer of the
19 witness.
20

21 THE PRESIDENT: I see nothing objectionable,
22 except that the question may be hard to follow.

23 A With respect to Captain Robinson's question
24 of Japanese ships under construction stating 11 Carriers
25 totalling so many hundreds of thousands of tons, let
me reply flatly, no. This has some relation to a

1 previous type question, but if I may be permitted, I
2 should like to explain the manner in which I came into
3 possession of these figures -- these American figures.

4 Apart from my personal opinion that may enter
5 into the discussion, but I should like to explain
6 how I came into possession of the United States figures.

7 CAPTAIN ROBINSON: If the Court please --

8 THE PRESIDENT: You don't want the answer?

9 CAPTAIN ROBINSON: I see no relevancy there.
10 There is no objection to the answer at all, except the
11 time and irrelevancy.

12 THE PRESIDENT: I cannot see how it is rele-
13 vant, but it may be. How he got figures which were
14 acknowledged to be from American sources is immaterial.

15 BY CAPTAIN ROBINSON (Continued):

16 Q You prepared exhibit No. 918?

17 A Yes. (Interposed, the witness was dismissed.)

18 Q And you gave the dates for the laying of the
19 keels of Japanese Carriers, both converted and new
20 construction; and yet you state now that in this left-
21 hand column on "Keels Laid" there are not dates showing
22 that on December 7, 1941 Japan had 11 vessels character-
23 ized as Carriers in due course which were then under
24 construction.

25 A A little while ago, I explained that some of

1 the vessels were converted and I laid special emphasis
2 on the fact that, as regards converted Carriers, the
3 date was not when the keel was laid, but when the
4 work was actually begun.

5 CAPTAIN ROBINSON: If the Court please, that
6 answer is not responsive to the question. It is
7 objectionable therefore for that reason. As the Court
8 has indicated the documents are before it, the witness'
9 answers are now before it and the prosecution's questions
10 and points are before it.

11 We have no further questions.

12 THE PRESIDENT: Mr. Brannon.

13 MR. BRANNON: We have no further examination
14 of the witness. May he be excused on the usual terms?

15 THE PRESIDENT: The witness is excused on the
16 usual terms.

17 (Whereupon, the witness was excused.)

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19
20 MR. BRANNON: Referring to exhibit 3003-A,
21 which is the comparative table of naval vessels on
22 hand between the United States of America and Japan
23 as of December 7, 1941, I wish to read the summary
24 shown thereon.

25 "Battleships

"Japan	10 vessels	301,400 tons
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"U.S. 17 vessels 534,300 tons

"Aircraft Carriers" --

THE PRESIDENT: There is no need to read that.

MR. BRANNON: This is an exhibit, Mr. President, which has been accepted in evidence, but not read by the defense. The record would be silent as to its contents if I did not proceed as suggested.

THE PRESIDENT: Confine it to essentials. I am sure you will.

MR. BRANNON: Yes, sir. I have the summary here.

"Aircraft Carriers

"Japan 10 vessels 152,970 tons

"U.S. 8 vessels 162,600 tons

"Heavy Cruisers

"Japan 18 vessels 158,800 tons

"U.S. 18 vessels 171,200 tons

"Light Cruisers

"Japan 20 vessels 98,855 tons

"U.S. 19 vessels 157,775 tons

"Destroyers

"Japan 112 vessels 165,868 tons

"U.S. 172 vessels 239,530 tons

"Submarines

"Japan 65 vessels 97,900 tons

"U.S. 111 vessels 116,621 tons

"Miscellaneous

"Japan 156 vessels 490,384 tons

"U.S. 1192 vessels 1,273,469 tons

"Total" --

THE PRESIDENT: That figure ought to be cleared up. We ought to be satisfied that the Americans and Japanese haven't a different classification of "Miscellaneous." The Americans may include under "Miscellaneous" a lot of ships which the Japanese would exclude under the same heading. But, we must leave it to the parties to clear that up.

MR. BRANNON: Other than the six specified classifications named in the defense exhibit, all of the rest of the fighting vessels, that is, used for fighting purposes or connected with fighting purposes, are called "Miscellaneous." I merely wish to read what the exhibit shows, Mr. President. It may be accepted or rejected. But, we should be allowed to have the record recite what the defense exhibit is and what it says.

(Reading continued):

"Total

"Japan 391 vessels 1,466,177 tons

"U.S. 1537 vessels 2,655,495 tons"

1 Referring now to exhibit 3003-B, which is
2 the comparative table of naval vessels under con-
3 struction between the United States and Japan as of
4 December 7, 1941, the summary shows:

5 "Battleships"

6 "Japan 2 vessels 128,000 tons
7 "U.S. 10 vessels 410,000 tons

8 "Aircraft Carriers"

9 "Japan 4 vessels 77,860 tons
10 "U.S. 22 vessels 442,300 tons

11 "Heavy Cruisers"

12 "Japan none
13 "U.S. 11 vessels 188,200 tons

14 "Light Cruisers"

15 "Japan 4 vessels 42,700 tons
16 "U.S. 31 vessels 278,000 tons

17 "Destroyers"

18 "Japan 12 vessels 27,120 tons
19 "U.S. 256 vessels 450,580 tons

20 "Submarines"

21 "Japan 29 vessels 42,554 tons
22 "U.S. 96 vessels 146,496 tons

23 "Miscellaneous"

24 "Japan 37 vessels 57,225 tons
25 "U.S. 895 vessels 516,361 tons

"Total

"Japan 88 vessels 375,459 tons

"Note: Besides this there was 1 battleship
(62,000 tons), the building of which was suspended
just after the keel was laid.

"U.S. 1,321 vessels 2,431,937 tons."

1 We offer in evidence defense document 1890,
2 which is a tabulation of United States naval personnel
3 from the Bureau of United States Naval Personnel and
4 found in an official publication of the United States
5 Navy. By comparing defense document 1890 with prose-
6 cution exhibit 915, the Tribunal will observe that,
7 as of December 31, 1940, the United States Navy
8 personnel totaled 280,086 and discounting the Marine
9 Corps and Coast Guard totaled 215,273, as compared to
10 227,616 for Japan.

11 This evidence is offered merely for the
12 purpose of showing there was nothing extraordinary in
13 the personnel strength of the Japanese Navy existing
14 at that time.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Defense document 1890
17 will receive exhibit No. 3004.

18 (Whereupon, the document above
19 referred to was marked defense exhibit
20 No. 3004 and received in evidence.)

21 MR. BRANNON: We offer in evidence defense
22 document 1500-B-2, which is an extract from exhibit 12
23 of the Joint Committee on the Investigation of the
24 Pearl Harbor Attack, Congress of the United States,
25 showing an increase of appropriations from

1 \$358,262,123 in 1932 to \$3,549,383,345 in 1941.

2 We do not propose to read it.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Defense document 1500-B-2
5 will receive exhibit No. 3005.

6 (Whereupon, the document above
7 referred to was marked defense exhibit
8 No. 3005 and received in evidence.)

9 MR. BRANNON: We come now to that portion of
10 the defense which deals with Japanese naval prepar-
11 ations for war. We request that the attention of the
12 Tribunal be taken of past evidence, introduced by both
13 prosecution and defense, showing that the Japanese
14 naval leaders opposed war with the United States and
15 Great Britain, and, in particular, we ask permission
16 to refresh the Tribunal's memory by referring to
17 prosecution exhibit 1143, as corrected by the Language
18 Section on page 10,668 of the record, which is an ex-
19 tract from the KIDO Diary of October 7, 1941, showing
20 that, at that time, while the Army was of the opinion
21 that there was no room left for the continuance of the
22 parley, the Navy held there was hope and desired further
23 diplomatic efforts.

24 Again, it is revealed in prosecution exhibit
25 1125, as corrected on page 10,667 of the record, which

1 is an extreact from the KIDO Diary of 31 July 1941,
2 that it was the then prevailing opinion of Chief of
3 Naval General Staff NAGANO that war with the United
4 States should be averted as much as possible and that
5 he was doubtful whether such a war could ever be won.

6 Referring to defense exhibit 2913, which is
7 an excerpt from the Memoirs of Prince KONOYE, we point
8 out the attitude of the Navy Minister on October 12,
9 1941, as representative of the practical naval point
10 of view with reference to peace or war.

11 With the further request that the Tribunal
12 bear in mind the past evidence relative to the oil
13 supply of Japan and its effect upon the military in
14 the latter portions of 1941, we move now into an ex-
15 planation by means of personal testimony of Japanese
16 naval planning for the eventuality of war.

17 We call as our witness former Admiral Nobutake
18 KONDO.
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1 NOBUTAKE KONDO, called as a witness
2 on behalf of the defense, being first duly
3 sworn, testified through Japanese inter-
4 preters as follows:

5 DIRECT EXAMINATION

6 BY MR. BRANNON:

7 Q Will you state your name please?

8 A KONDO Nobutake

9 MR. BRANNON: May the witness please be hand-
10 ed defense document 1978?

11 (Whereupon, a document was handed
12 to the witness.)

13 Q Is that your affidavit?

14 A Yes.

15 Q Is it true and correct?

16 A Yes.

17 MR. BRANNON: We offer in evidence the affi-
18 davit of Nobutake KONDO, defense document 1978.

19 THE PRESIDENT: Mr. Tavenner.

20 MR. TAVENNER: If it please the Tribunal, I
21 would like to direct your attention to the last para-
22 graph beginning on page 8 and extending over onto page
23 9 and especially the last sentence.

24 THE PRESIDENT: Yes, that invades our province.

25 MR. TAVENNER: Objection is made to this entire

1 paragraph on that ground and on the additional ground
2 that it is opinion evidence.

3 Objection is also made to paragraph numbered
4 7, beginning on page 9 and from there on to the end
5 of the affidavit with the exception of the last
6 paragraph on the ground that it is argument on the
7 part of the witness, which has a more proper place in
8 the summation, and is full of expressions of opinion
9 and conclusion. That is down to, but not including,
10 the last paragraph on page 12.

11 MR. BRANNON: We call to the Court's atten-
12 tion that this witness was Vice-Chief of the Navy
13 General Staff, the planning organ of the Japanese
14 Navy.

15 THE PRESIDENT: That does not qualify him to
16 express opinion here that we are competent to draw or
17 express.

18 MR. BRANNON: We maintain he should be allow-
19 ed to state the facts and reasons behind the facts as
20 they saw them.

21 THE PRESIDENT: I do draw attention to the
22 fact that according to the opening words of paragraph
23 7 he is telling us what difficulties they encountered
24 then. He does not purport to be expressing opinions
25 here, but he does go on in the same paragraph to

1 express opinions.

2 MR. BRANNON: It may be, Mr. President, that
3 the opinions of this witness, as Vice-Chief of the
4 Navy General Staff, largely influenced the planning
5 of the Japanese Navy during this period. Consequent-
6 ly, the defense sought simply to set out the matters
7 as they were then viewed, with no intention, of
8 course, of infringing on the prerogative of the Tri-
9 bunal.

10 THE PRESIDENT: We sustain the first objec-
11 tion by a majority, but not the second. We realize
12 there are opinions expressed in the second part ob-
13 jected to, but not many, and we will be careful to
14 disregard them. There are, on the other hand, some
15 important facts, if they be facts.

16 With those qualifications, the document is
17 admitted on the usual terms.

18 MR. BRANNON: So that I may not inadvertently
19 offend, may I ask direction, specifically, what para-
20 graphs to strike here in my reading?

21 THE PRESIDENT: The paragraph which goes 8
22 onto 9 is struck out. It commences --

23 MR. BRANNON: Thank you. I have it marked, I
24 think, Mr. President.

25 CLERK OF THE COURT: Defense document 1978

1 will receive exhibit No. 3006.

2 (Whereupon, the document above
3 referred to was marked defense exhibit
4 No. 3006 and received in evidence.)

5 MR. BRANNON: Omitting the formal portions,
6 I read as follows:

7 "1. My name is Nobutake KONDO. For approx-
8 imately 40 years, from November 1907 (MEIJI 40) when
9 I graduated from the Naval Academy, until I was
10 relegated into the reserves as a full admiral in
11 September 1945 (SHOWA 20) I served in the Japanese
12 Navy. During my term of service I held the following
13 posts at the Naval General Staff at three different
14 times.

15 "From June 1930 (SHOWA 5) until December 1932
16 (SHOWA 7) - Naval General Staff First Section Chief
17 (Captain)

18 "From December 1935 (SHOWA 10) until December
19 1938 (SHOWA 13) Naval General Staff First Division
20 Chief (Rear Admiral - Vice Admiral)

21 "From October 1939 (SHOWA 14) until September
22 1941 (SHOWA 16) Vice Chief of Naval General Staff
23 (Vice Admiral)

24 "2. As a rule, the following procedure was
25 followed by the Japanese Navy in its planning and

effectuation of its armament program:

1 "(1) The annual national defense plan was
2 formulated by the First Section of the First Division
3 of the Naval General Staff. This was a decision on
4 policy on how to complete national defense envisioning
5 the eventuality of war, and formed the basis for arma-
6 ment plans and the training programs of all units, etc.

7 "(2) The Third Division of the Naval General
8 Staff collected and pieced together information on the
9 situation, the war preparedness conditions, and war
10 potential of the major powers and distributed it to
11 the divisions of the Naval General Staff to serve as
12 criterions for the various planning it did for the
13 Navy in general.

14 "(3) The Third Section of the Second Division
15 of the Naval General Staff, on the basis of the above-
16 mentioned National Defense plan, formed the draft of a
17 plan for minimum possible armament required by the Navy
18 for fulfilling its national defense responsibilities,
19 after consideration of the national strength and of the
20 armament situation of the major powers. The draft,
21 after being approved by the superiors, was deliberated
22 at a preliminary conference with competent officers of
23 the Navy Ministry. At this preliminary conference,
24 national strength, the difficulties of execution of the
25

1 plan, etc., were most minutely examined by the repre-
2 sentatives of the Navy Ministry and of the Naval
3 General Staff and it was customary for considerable
4 alterations to be made in the draft.

5 "(4) After an understanding had been reached
6 at the above-mentioned preliminary conference, an
7 official report of the conference was sent by the
8 Chief of the Naval General Staff to the Navy Minister,
9 to which the latter set forth his opinions on the
10 prospects of the execution of the plan in his reply.

11 "(5) The Navy Ministry, besides, contacted
12 the various government organs in connection with
13 distribution of budget and material.

14 "(6) After the budget had been decided, the
15 execution order was issued by the Navy Minister and
16 the various organs began their allotted work in the
17 execution of the order.

18 "The organization being as above delineated,
19 I - holding the positions before mentioned - had con-
20 siderably detailed information on armaments.

21 "It was immediately after the conclusion of
22 the 1930 London Disarmament Conference that I was
23 appointed First Section Chief of the First Department
24 of the Naval General Staff. It was consequently at a
25 time when the National Defense plan had to be revised

1 to a yet more defensive order to conform to the new
2 situation.

3 "By the Washington Treaty, the number of
4 capital ships and aircraft carriers permitted Japan
5 for retention was limited to 60% of those of the United
6 States and Great Britain. However, information collect-
7 ed after the Treaty revealed that the United States
8 Navy was steadily preparing for trans-ocean operations
9 and it was thought that if the necessity arose the
10 United States Fleet could at any time reach Japanese
11 home waters. To oppose this threat, efforts were made
12 to complete our national defenses by equipping the
13 Navy with fleet-footed cruisers and other craft of
14 lesser type which would depend principally upon their
15 torpedoes to carry out interceptive operations in home
16 waters.

17 "Moreover, with the limitation placed on the
18 strength in auxiliary vessels permitted for retention
19 by the London Disarmament Treaty of 1930, the charac-
20 teristic armament of our Navy was made subject to re-
21 striction. Further, we were forced to look on with
22 folded arms whilst the United States Navy constructed
23 new types of warships.

24 "For this reason the ratification of the
25 Treaty became a serious problem in the Privy Council,

1 while Stimson's 'Hats Off' speech in the Senate con-
2 tributed not a little to aggravating the feelings of
3 the Japanese people. The Naval General Staff arrived
4 at the conclusion that there was no way of coping with
5 this situation except through intensive training for
6 the raising of technical strength and through construc-
7 tion of such small warships as were not limited by the
8 restrictions of the Treaty and airplanes to cover up
9 the resulting defects in armaments.

10 "It was around this time that many precious
11 lives were sacrificed in fierce training; and deplor-
12 able accidents involving warcraft which were not cover-
13 ed by treaty limitations occurred, such as the capsiz-
14 ing in heavy weather of torpedo boats under 600 tons
15 which were too heavily armed."

16 THE PRESIDENT: We will recess for fifteen
17 minutes.

18 (Whereupon, at 1045, a recess was
19 taken until 1100, after which the proceed-
20 ings were resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Brannon.

4 MR. BRANNON: I continue reading:

5 "I was appointed Chief of Division One of the
6 Naval General Staff at the time when the 1935-1936 Lon-
7 don Disarmament Conference was in session. A month
8 after my appointment Japan seceded from the confer-
9 ence.

10 "What we advocated at this conference was a
11 step forward from our earlier demand for armaments that
12 were non-aggressive and non-menacing -- namely, armament
13 which would remove all danger of war ever breaking out.
14 Unfortunately our thesis was not accepted by the other
15 powers. The Japanese Navy directed its attention to
16 various experiments with the aim of fulfilling its re-
17 sponsibilities in national defense within the scope of
18 the minimum possible budget, in consideration of the
19 meager resources of the nation. The result was the
20 discovery that there was no other way than to give our
21 armament program the characteristics hereafter to be
22 shown. As a result, the Third Supplementary Program
23 was drafted.

24
25 "The Third Supplementary Program called for the
construction of two battleships, two aircraft carriers,

1 midst of the above-mentioned Third Supplementary Pro-
2 gram, but with the exception of the completion of a
3 portion of the smaller craft, this Program was still
4 unfinished. Meanwhile, from the beginning of the same
5 year, namely of the year 1939 (Showa 14), it had started
6 on the Fourth Supplementary Program. According to the
7 judgment of the Naval General Staff at that time, the
8 United States, in accordance with the Second Vinson Plan,
9 had started, or was about to start construction in the
10 near future, on three 45,000 ton capital ships, aircraft
11 carriers to the tonnage of 40,000 tons, cruisers to the
12 approximate tonnage of 70,000 tons, plus destroyers and
13 submarines totaling an approximate 40,000 tons, and
14 other auxiliary craft, in addition to the six capital
15 ships, two aircraft carriers and numerous cruisers and
16 smaller craft it had under construction. It was because
17 of this enormous United States armament program and the
18 aforementioned political and military pressure that the
19 Third Supplementary Program was considered insufficient
20 to warrant confidence from the national defense view-
21 point, and the Fourth Supplementary Program was begun.

22 "The Fourth Supplementary Program was a program
23 for the construction of a total of fifty-nine vessels
24 including two battleships, one aircraft carrier, six
25 cruisers, twenty-four destroyers, twenty-six submarines,

1 steadily filtered in to the effect that construction of
2 capital ships and other craft was being promoted. Var-
3 ious measures to counter this situation were studied
4 but expenditure running high owing to the China Incid-
5 ent, no concrete plan had been formulated up to the time
6 of my leaving the post of Chief of the First Department
7 of the Naval General Staff in December of the same year
8 (1938).

9 "5. It was immediately after the outbreak of
10 World War II in Europe that I was appointed Vice-Chief
11 of the Naval General Staff. In our country it was the
12 time when we were worrying over means of preventing the
13 war from spreading outside Europe. We had already re-
14 ceived notification of the abrogation of the Japan-
15 United States Trade Treaty at that time. Our intellig-
16 ence section knew that American reconnaissance troops
17 had already moved into Hawaii and that the Hawaiian
18 Army Air Force had been greatly strengthened. This
19 United States pressure on Japan was felt acutely by us
20 who were charged with the plans for national defense,
21 and our uneasiness over the question as to how we should
22 meet our responsibilities of national defense in the
23 face of the rapidly mounting American naval prepara-
24 tions was hourly increasing.

25 "At that time the Japanese Navy was in the

1 midst of the above-mentioned Third Supplementary Pro-
2 gram, but with the exception of the completion of a
3 portion of the smaller craft, this Program was still
4 unfinished. Meanwhile, from the beginning of the same
5 year, namely of the year 1939 (Showa 14), it had started
6 on the Fourth Supplementary Program. According to the
7 judgment of the Naval General Staff at that time, the
8 United States, in accordance with the Second Vinson Plan,
9 had started, or was about to start construction in the
10 near future, on three 45,000 ton capital ships, aircraft
11 carriers to the tonnage of 40,000 tons, cruisers to the
12 approximate tonnage of 70,000 tons, plus destroyers and
13 submarines totaling an approximate 40,000 tons, and
14 other auxiliary craft, in addition to the six capital
15 ships, two aircraft carriers and numerous cruisers and
16 smaller craft it had under construction. It was because
17 of this enormous United States armament program and the
18 aforementioned political and military pressure that the
19 Third Supplementary Program was considered insufficient
20 to warrant confidence from the national defense view-
21 point, and the Fourth Supplementary Program was begun.

22 "The Fourth Supplementary Program was a program
23 for the construction of a total of fifty-nine vessels
24 including two battleships, one aircraft carrier, six
25 cruisers, twenty-four destroyers, twenty-six submarines,

1 displacing an approximate 296,000 tons, besides twenty-
2 four auxiliary ships totaling approximately 29,000 tons,
3 by the end of 1944 (Showa 19); but at the time of my
4 appointment in October 1939 (Showa 14), with the excep-
5 tion of part of the small warship program, the plan was
6 not yet under way. Further, the two battleships of
7 this plan were similar to those of the Third Supplement-
8 ary Program. Their construction was commenced in the
9 beginning of 1940 (Showa 15); but as will be shown
10 later, the building had to be discontinued within the
11 same year. One of them had to be scrapped before the
12 outbreak of the Pacific War, while the other was aban-
13 doned with its keel on the docks until the war began.

14 "Immediately after my appointment to office,
15 information was received that the Third Vinson Arma-
16 ment Expansion Plan had passed the United States Con-
17 gress and we felt grave misgiving touching national
18 defense. And in January 1940 (Showa 15) the incident
19 in which the 'Asama Maru' was boarded by a British war-
20 ship in waters so close to Tokyo, made the Japanese
21 people in general very sensitive regarding our security
22 by sea. In July 1940 (Showa 15) the United States pub-
23 lished its so-called "Stark Plan" for construction of a
24 two-ocean fleet. Up to that time we had managed somehow
25 to form national defense plans against the naval expans-

1 ion of the United States; but we could discover no means
2 of discharging our national defense duties within the
3 scope of our limited national resources if this enorm-
4 ous plan were to materialize.

5 "Moreover, as the United States-Japanese trade
6 restrictions were steadily being stiffened and negotia-
7 tions for increase of trade with the Netherlands East
8 Indies and French Indo-China were not progressing at
9 all, it seemed as though the very foundation of our na-
10 tion was being threatened. Further, it was our belief
11 that the fact of the United States Fleet moving into
12 Hawaii, together with the strengthening of concerted
13 United States-British support to the Chungking Govern-
14 ment, made the latter confident of victory and thereby
15 rendered more difficult the settlement of the China
16 Incident, which was Japan's greatest concern at that
17 time.

18 "Such being the situation, and there being ever
19 present the danger of war clouds spreading to the Far
20 East by some untoward error at any time, the execution
21 of the Third and Fourth Supplementary Programs had to
22 be hurried.

23 "As construction of the two battleships of the
24 Fourth Supplementary Program was not progressing, and
25 in order to concentrate all effort on speeding up con-

1 construction of small-type craft especially required for
2 defense purposes, construction on the former was discon-
3 tinued in November 1940 (Showa 15). Again, around
4 autumn of the same year, plans were submitted also
5 for the emergency conversion of merchantment into
6 auxiliary aircraft carriers.

7 "Toward the end of 1940 (Showa 15) the inter-
8 national situation took a sudden turn for the worse.
9 Information was received of the mobilization of the
10 Philippines Reserve Army, of the United States Secretary
11 of War's instructions to declare martial law in Pearl
12 Harbor, of the withdrawal of United States troops sta-
13 tioned in North China, of announcement of mines being
14 laid in the eastern entrance to the Singapore Straits,
15 of reinforcement of Australian troops in Malay, of mil-
16 itary conferences and operations agreement between the
17 United States, Great Britain and Australia and the
18 arrival of United States troops to reinforce the
19 Philippine Army in Manila, etc.

20 "As for the Naval General Staff, it considered
21 various plans, realizing that it had to do something
22 about naval armaments in view of the great naval ex-
23 pansion of the United States. While it was being
24 hampered in forming any workable plan because of lack
25 of national resources, the international situation took

1 a turn for the worse, as already mentioned, and in view
2 of the steadily progressing United States naval armament
3 expansion, the Emergency Supplementary Program was put
4 into effect in May 1941 (Showa 16) which called for the
5 construction of nine medium and nine small submarines
6 respectively, besides warships for defense purposes.
7 Further, in August of the same year, an Emergency Arma-
8 ment Program of which one aircraft carrier, two cruisers,
9 twenty-six destroyers, thirty-three submarines, and other
10 defensive forces comprised the main points, was put in
11 execution. However, with even this, we could not pos-
12 sibly keep pace with the enormous expansion plan of the
13 United States Navy, and we always suffered from misgiv-
14 ing and apprehension. Our armament plans were stimulat-
15 ed by this overwhelming expansion plan of the United
16 States Navy and what we considered the military encircle-
17 ment of Japan. Thus our plans were formulated on the
18 spur of the moment, as is indicated by the use of the
19 names Extraordinary Supplementary Program and Emergency
20 Supplementary Program. In substance, they were mainly
21 based on small defensive warships.

22 "6. The armament situation of the Japanese
23 Navy during my various terms of office at the Naval
24 General Staff was as given above. Those responsible
25 applied themselves perseveringly to the task of fulfill-

1 ing their duties of national defense and consolidating
2 armaments within the scope of the meager national re-
3 sources to oppose the increasing naval armaments of
4 the major powers.

5 "In other words, our Navy's single thought was
6 how to defend against the potential threat of a foreign
7 fleet invading our home waters, and our plans were
8 formed and armament policy decided on the basis of
9 this consideration. Not even once was a plan drafted
10 for an aggressive attack on another nation at this time."

11 I go to Paragraph 7:

12 "7. During the time I held office at the Naval
13 General Staff and was participating in the decisions on
14 national defense plans and armament policy, the poverty
15 of national resources constituted a large source of worry.
16 Difficulties were encountered, especially on the follow-
17 ing points:

18 "1. In the event of war, it was consid-
19 ered quite possible that Japan's shipbuilding speed
20 might slow down but that it would be most difficult, if
21 not impossible, for it to be increased, while the United
22 States and Great Britain, on the contrary, were expected
23 to accelerate their construction rate at a rapid pace, as
24 had been done at the time of World War I.

25 "2. While Japan possessed very few first

1 rate merchant ships which could be converted into aux-
2 iliary warships in case of emergency, Great Britain and
3 the United States had many such vessels capable of
4 speedy conversion.

5 "3. Japan did not possess civilian air-
6 craft which could be converted into a reserve air
7 force as could the numerous civilian aircraft possess-
8 ed by the United States and Great Britain.

9 "4. Japan possessed only a small number
10 of civilian factories capable of being converted into
11 munition factories during war time, while, on the other
12 hand, the United States and Great Britain were capable
13 of large scale conversion of civilian industrial plants
14 into military use during war time.

15 "5. Japan faced a shortage of materials
16 vital for war time needs, whereas, by comparison, both
17 the United States and Great Britain had an abundance of
18 such materials.

19 "In the face of these facts, it was necessary
20 for us to maintain a comparatively large peace time
21 force even though this meant a heavy strain on our meager
22 national resources. The ability of the United States and
23 Great Britain to rapidly mobilize and draw upon their
24 vast resources dictated this necessity. And to have
25 failed to consider these factors would have left a ser-

1 ious defect in national defense.

2 "8. In the affidavit of Admiral Richardson,
3 presented to this Tribunal on November 25th of last year,
4 it was stated that the Japanese Navy in its preparation
5 for a war of aggression had been exerting itself toward
6 the construction of aircraft carriers. That statement
7 varies from the facts indicated by the very construc-
8 tion of the carriers themselves, which show that they
9 were built for use in home waters.

10 "It is a fact that aircraft carriers may very
11 easily be utilized for offensive purposes, but it was
12 also generally recognized that aircraft carriers were
13 necessary for defense against attacks by fleets which
14 included aircraft carriers.

15 "The Japanese naval authorities believed that
16 aircraft carriers were absolutely required for defense
17 purposes as long as other powers possessed aircraft
18 carriers.

19 "For Japan there was great danger of attack by
20 carrier-borne planes, in which event damage would be
21 extremely great, for the following reasons:

22 "1. Japan, being narrow and surrounded
23 on all sides by sea, there was no area of the island
24 which lay outside the attacking radius of carrier-borne
25 planes.

1 "2. Nearly all the major cities, large
2 industrial areas, and the trunk lines of communications
3 of Japan lie close to the coast.

4 "3. Most Japanese houses, being con-
5 structed of inflammable material, damage through bomb-
6 ing would prove extremely great; and if incendiary
7 bombs were used there was great danger of large fires
8 resulting.

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1 "To defend itself against attack by carrier-
2 borne planes, Japan required numerous airfields and
3 aircraft. As means of defense against attack by air-
4 craft there are airplanes, anti-aircraft weapons and
5 barrage balloons, but aircraft was the most effective
6 of the three. When the objectives to be defended lie
7 along the coast, as was mostly the case in Japan, anti-
8 aircraft weapons and balloon barrages usually could
9 not be expected to prove sufficiently effective in
10 warding off attack.

11 "Japanese territory, being small and surroun-
12 ded by seas, necessitated the existence of numerous
13 airfields and airplanes for the defense against attack
14 from air. Further, weather conditions, being often
15 very bad, would prove an obstacle to movement and con-
16 centration of aircraft, and hence an even greater
17 necessity for large numbers of airfields and aircraft.

18 "It was impossible to maintain large numbers
19 of aircraft owing to the meagreness of national re-
20 sources. Further, construction of airfields was diffi-
21 cult because of the narrowness of the territory and
22 especially because of scarcity of flat land.

23 "On the one hand, for the Fleet not to include
24 aircraft carriers while other nations possessed this
25 type of ship would have meant a marked difference in

1 capacity for reconnaissance, long distance attacking
2 potential and strength in anti-aircraft defense. With
3 the development of aircraft, a fleet without aircraft
4 carriers lost its raison d'etre. It was therefore
5 advantageous, especially in the case of Japan, to main-
6 tain this carrier strength of the Fleet at a point
7 where it could fully hold its own against those of
8 opponent nations, and thereby to serve the purpose of
9 national defense.

10 "Aircraft carriers could be utilized to ad-
11 vantage in the aerial defense of the home land since
12 it is surrounded on all sides by water. Especially
13 is this true since there was the danger of attack by
14 enemy carrier-borne planes. In such an event our
15 carriers could be used to attack the enemy carriers
16 before they entered the radius for bombing of the
17 Japanese mainland, thus providing us with adequate
18 defense against air attack. In view of the compara-
19 tive facility of movement and concentration, even in
20 the event of bad weather, there were many favorable
21 arguments in favor of aircraft carriers in the naval
22 defense of the narrow territory of Japan.

23 "It was for this very reason that Vice-Ad-
24 miral Kanji KATO, the Senior Japanese Technical
25 Committee member to the 1922 Washington Disarmament

1 Conference, advocated the necessity of Japan having
2 the same number of aircraft carriers as the United
3 States and Britain, for defensive purposes.

4 "Further, it may be clearly seen from the
5 nature and capacity of the Japanese carriers that they
6 were constructed for defensive purposes and not for
7 offensive. Moreover, to utilize carriers for offen-
8 sive warfare it is necessary to have various types of
9 attending warships; but the Japanese Navy did not have
10 them.

11 "The number of Japanese aircraft carriers on
12 December 7, 1941, including temporarily converted
13 merchantmen, was ten with displacement of some 152,970
14 tons. Included in this number were the slow-moving
15 converted merchant ship "Kasuga Maru," the out-dated,
16 overaged small carrier the "Hosho," which was used
17 only for training purposes, the small carriers "Ryujo"
18 and "Zuiho," which could carry only a limited number
19 of small aircraft. Consequently, the number of air-
20 craft carriers which could be utilized for fleet ac-
21 tion was six. Moreover, the cruising radii of these
22 first line carriers were far shorter than those of
23 United States naval ships. Evidence of this fact may
24 be seen in the extraordinary refueling problems that
25 later confronted the Navy in its preparations for the

1 Pearl Harbor Attack."

2 THE PRESIDENT: Counselor SHIMANOUCI.

3 MR. SHIMANOUCI: I would like to ask ques-
4 tions on behalf of the defendant OSHIMA.

5 THE PRESIDENT: Further examination, isn't
6 it?

7 MR. SHIMANOUCI: Further direct, your Honor.

8 DIRECT EXAMINATION (Continued)

9 BY MR. SHIMANOUCI:

10 Q During the period you were the Vice Chief of
11 the Naval General Staff, that is, from October, 1939,
12 until September, 1941, did Ambassador OSHIMA in Berlin
13 ever contact the Navy in Tokyo directly?
14

15 A No.

16 Q While you were the Vice Chief of the Naval
17 General Staff did the Naval General Staff ever inform
18 OSHIMA of their operational plans?

19 A No.

20 Q You said in your affidavit, at paragraph
21 numbered 5, the following:

22 "It was immediately after the outbreak of
23 World War II in Europe that I was appointed Vice-
24 Chief of the Naval General Staff. In our country it
25 was a time when we were worrying over means of prevent-
ing the war from spreading outside Europe."

1 But according to prosecution exhibit 509,
2 that is, the memorandum by Knoll, dated May 25, 1939,
3 it states as follows: Ambassador OSHIMA stated that
4 he believed that the Japanese were prepared to move
5 their Navy to the south of East Asia, that is, to
6 Hong Kong; and it further states that OSHIMA himself
7 telegraphed this proposal.

8 Were preparations completed for the Japanese
9 Navy to move to the south in East Asia, especially to
10 Hong Kong, around September, 1939?

11 A The Japanese Navy had no such preparations.

12 Q Had the Japanese Navy any concrete plans for
13 military advance in September, 1939 -- such a military
14 advance?

15 A No.

16 Q Has Ambassador OSHIMA ever submitted this
17 proposal to the Japanese Navy?

18 A I have never heard nor seen it.

19 Q Did the Japanese Navy have any concrete plans
20 or concrete preparations for the occupation of Hong
21 Kong between February and April, 1941?

22 A Studies with regard to war against England
23 were being made, but there were no preparations or
24 plans.

25 Q Were there any concrete plans at that time

1 with regard to the occupation of the Phillipines?

2 A At that time, no.

3 Q In prosecution exhibit 576, which is a tele-
4 gram sent by Ambassador Ott to the Reichs Foreign
5 Minister in March, 1941, it states as follows:

6 "When inquiry was made of the Naval General
7 Staff representative KONDO, it was learned that strong
8 preparations were underway for an attack on Singapore,
9 and that preparations would probably be completed by
10 the end of May."

11 Have you any familiarity with this?

12 A Yes.

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1 Q Then will you please so state. Explain it.

2 A I have never received any formal con-
3 sultation. I think it was the end of February or
4 possibly the first part of March that I attended a
5 luncheon given by the German Naval Attache in Tokyo,
6 Admiral Wenneker, and I think Ambassador Ott was
7 also present.

8 Q That was 1941?

9 A Yes. Following the luncheon, conversation
10 took place with regard to Singapore and I was asked
11 with regard to the possibility of a Japanese attack
12 on Singapore. At that time I replied that if it
13 were an order from the Imperial General Headquarters
14 as far as the navy was concerned it could do it.

15 THE PRESIDENT: Mr. Tavenner.

16 MR. TAVENNER: If the Tribunal please, it
17 appears to the prosecution that the rules of the
18 Court are being evaded in the method of examining
19 this witness. This apparently is a major examina-
20 tion which should have been by affidavit form.

21 THE PRESIDENT: It is a very extensive
22 examination in chief, undoubtedly.

23 MR. TAVENNER: So the suggestion is made
24 that if the testimony of this witness is desired
25

1 on a new matter, that it be reduced to affidavit
2 form and be presented in the usual way to the
3 Tribunal.

4 THE PRESIDENT: It may not be worth while.
5 He may have only a few more questions to ask.

6 MR. SHIMANOUCI: May I reply, sir?

7 According to this exhibit it is claimed
8 that in a talk between OSHIMA and Ribbentrop that
9 OSHIMA had said that Japan's preparations for an
10 attack on Singapore would probably be completed by
11 the end of May. Now, with respect to the telegram
12 sent by Ott, this witness says that he is familiar
13 with what was said, and therefore I feel that this
14 question also involves Ambassador OSHIMA.

15 Furthermore, the second reason is that this
16 witness himself states in his affidavit that Japan
17 was worrying over various means to prevent the war
18 from spreading outside of Europe. However, the
19 prosecution exhibits show the contrary, and there-
20 fore I am asking these questions to clear the matter
21 up.
22

23 THE PRESIDENT: Have you many more questions
24 to ask?

25 MR. SHIMANOUCI: About four or five, your
Honor.

1 Q Will you continue, Mr. Witness?

2 A At that time in the course of the con-
3 versation on this matter, I replied that an attack
4 on Singapore would be an operation against Britain
5 and in the light of the situation then existing,
6 operations against Britain would also mean operations
7 against the United States; that at that time Japan
8 must devote her full powers to the settlement of the
9 China Incident; and that therefore for that reason any
10 trouble with any third power must be avoided and
11 that therefore questions of this nature required
12 the most serious consideration.

13 Q Did the Japanese Navy, around February or
14 March 1941, have any concrete preparations for an
15 attack on Singapore?
16

17 A No.

18 Q What position did you hold after October
19 1941?

20 A I was appointed Commander in Chief of the
21 Second Fleet.

22 Q What were the duties of the Second Fleet?

23 A It was undergoing fleet training under the
24 command of the Commander in Chief of the Combined
25 Fleet.

THE PRESIDENT: Mr. Tavenner.

1
2 MR. TAVENNER: If it please the Tribunal,
3 the examination is apparently now going into another
4 matter, and I would like to renew my objection.

5 MR. SHIMANOUCI: May I speak?

6 This relates to an attack on Singapore and
7 Hong Kong. I have only two questions more to ask.

8 THE PRESIDENT: Put them.

9 Q Did this fleet participate in the Malayan,
10 Philippines, and Dutch East Indies operations?

11 A Yes.

12 Q With regard to the formulation of the plans
13 for operations in Malaya, the Philippines, the
14 Netherlands East Indies, Singapore and Hong Kong,
15 were there any suggestions from Germany or from
16 OSHIMA?

17 A We received no suggestions whatsoever.

18 MR. SHIMANOUCI: Thank you. This con-
19 cludes my examination.

20 THE PRESIDENT: Mr. Comyns Carr.
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CROSS-EXAMINATION

BY MR. COMYNS CARR:

Q Admiral KONDO, you, as I understand, became First Division Chief of the Naval General Staff in December 1935?

A Yes, that is so.

Q Where had you been immediately before that?

A I was Chief of Staff of the Combined Fleet.

Q In December 1935, as you say in paragraph 4, the London Naval Disarmament Conference was going on and you say that Japan was putting forward proposals of a nonaggressive and nonmenacing character. Now, was not the truth that the Japanese navy had long been anxious to be entirely freed from restrictions on its shipbuilding program?

A That is not so. As a matter of fact the Japanese navy had desired from its very heart, in view of Japan's national strength, to see the realization of naval disarmament -- of naval disarmament treaty.

Q If the accused SHIGEMITSU said on the 21st of August 1935, as Vice Foreign Minister, that the navy thought it advantageous for Japan to be unrestricted by armament treaties and was very emotional about it, was he wrong?

A With regard to that I think it was this: that

1 because Japan's very fair and just proposal was not
2 accepted by the other naval powers some balance must
3 be maintained in the light of the weakness of Japanese
4 national strength by emphasizing certain character-
5 istics of the navy.

6 Q But that is hardly an answer to my question.
7 I was asking you whether it was true to say in August
8 1935, six months before the conference broke down,
9 that the Japanese navy wanted to be unrestricted by
10 armament treaties with foreign nations?

11 A That is not a fact.

12 Q If he went on to say that the navy's proposal
13 should be wrapped up in a pretty cloth so as to avoid
14 trouble with other nations, isn't that exactly what
15 was done?

16 MR. BRANNON: If the Tribunal please, that
17 question is highly objectionable, calling for an
18 opinion from this witness on a broad general matter
19 that certainly invades the province of the Tribunal.
20

21 MR. COMYNS CARR: I am sorry, your Honor;
22 this is not working. I could not hear.

23 THE PRESIDENT: Objection is overruled.

24 A I do not understand the point of the question.

25 THE PRESIDENT: He knows, I understand, who
said these things or who is alleged to have said them

1 and the occasion on which they were said. He should
2 know that.

3 MR. COMYNS CARR: If your Honor please.

4 THE PRESIDENT: They are in direct contra-
5 diction of his affidavit and he can reasonably be
6 asked to reconcile them if he can.

7 Q The accused SHIGEMITSU, I suggest, is alleged
8 to have said this to a certain Baron HARADA on the 21st
9 of August 1935. What I am asking you is whether that
10 is not a correct description of the way in which
11 these proposals were formulated and put forward by
12 Japan at the Naval Conference?

13 A The disarmament proposal put forth by the
14 Japanese navy was regarded by it as a very just and
15 fair proposal and because of that the Japanese navy
16 desired from its very heart that this proposal would
17 be accepted.

18 Q I am suggesting the exact contrary: that
19 you knew it was a proposal which the other countries
20 would never accept if they were in their sane minds
21 and that it was put forward in order that the confer-
22 ence might break down and you might be free of re-
23 strictions?
24

25 THE PRESIDENT: Mr. Brannon.

MR. BRANNON: That is objected to as not

1 being a question at all, purely argumentative, and
2 tending to invite comment from this witness. It is
3 not at all relevant to any material issue in the case.
4 He has already answered that the basic statement of
5 the accused put to him by the prosecutor was not
6 correct; therefore any questions that would follow
7 would be quite improper and purely argumentative.

8 THE PRESIDENT: Mr. Carr, do you wish to say
9 anything?

10 MR. COMYNS CARR: No, your Honor.

11 THE PRESIDENT: I am inclined to think it
12 is argumentative, Mr. Carr, in view of his earlier
13 answers.

14 I understand my colleagues, or some of them,
15 take the view that it is not argumentative so I would
16 expect you to support your question. There is always
17 scope for difference of opinion in these matters,
18 Mr. Carr.

19 MR. COMYNS CARR: Your Honor, the reason why
20 I put it, supplementing the previous one, was that the
21 witness had at first said that he did not understand the
22 meaning of the remark attributed to the accused SHIGE-
23 MITSU, and I thought it desirable to make quite plain
24 the meaning I was putting to him.
25

THE PRESIDENT: You are always at liberty to

1 make yourself plainer if you think you are not
2 clearly understood, so proceed.

3 Q Will you answer, please?

4 A The Japanese navy did not act with the ideas
5 or intentions such as just now described by the
6 prosecutor.

7 Q Did you know that as early as September 1934
8 the Prime Minister OKADA and the Foreign Secretary,
9 the accused HIROTA, had declared that the Washington
10 Treaty was going to be abrogated even if the other
11 nations agreed to Japan's proposal?

12 A Yes.

13 Q Now, was it not the prevailing view in the
14 Japanese navy in October 1935 that whereas the army
15 wanted to fight the Russians, the navy wanted to fight
16 the United States?

17 A Such a fact does not exist, or has not existed.

18 Q And had not that view been frequently put
19 forward in Japanese circles by the navy ever since 1933?
20

21 A I have no such recollection.

22 THE PRESIDENT: We will adjourn now until
23 half-past one.

24 (Whereupon, at 1200, a recess was
25 taken.)

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AFTERNOON SESSION

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3 The Tribunal met, pursuant to recess, at
4 1330.

5 MARSHAL OF THE COURT: The International
6 Military Tribunal for the Far East is now resumed.

7 - - -

8 NOBUTAKE KONLO resumed the stand and
9 testified through Japanese interpreters as
10 follows:

CROSS-EXAMINATION

11
12 THE PRESIDENT: Mr. Comyns Carr.

13 BY MR. COMYNS CARR (Continued):

14 Q Admiral KONLO, let me put to you more
15 specifically the matter I was asking you about just
16 before the adjournment.

17 If SHIGEMITSU said, on the 6th of October,
18 1933, that the navy wanted to attack the United States
19 in 1936, would he have been expressing the prevailing
20 opinion of the navy at that time?

21
22 A There was no such opinion in the navy.

23 Q Then if Finance Minister TAKAHASHI said the
24 same thing on the 11th of the same month, would have
25 have been wrong also?

A My reply to that is the same as my reply to

the previous question.

1 Q Now, if SHIGEMITSU said, on the 15th of the
2 same month, that the navy did not mind abrogating
3 the Washington Treaty and was prepared to sever dip-
4 lomatic relations with America and Britain if its
5 demand were denied, would he have been correctly
6 representing the attitude of the navy on that point
7 at that time?
8

9 A That does not reflect naval opinion.

10 Q If Finance Minister TAKAHASHI said on the
11 25th of November, 1933, that the navy was proposing
12 to increase its armament in breach of the treaty and
13 before it expired and that he, TAKAHASHI, would not
14 accept a budget on that basis, did that correctly
15 represent the desire of the navy?

16 A At that time I was not related with such
17 matters and, therefore, I cannot speak with any
18 accuracy, but I do not think that such an opinion
19 prevailed then in the navy.

20 Q Were any of the opinions which I have been
21 putting to you widely held by influential sections
22 in the navy?

23 A Such opinions did not prevail.

24 Q Now, do you agree that Japan had only one
25 ocean in which to defend herself, from a naval point

1 of view?

2 A Yes, generally.

3 Q Do you agree that the United States had two
4 oceans in which to defend herself from a naval point
5 of view?

6 A Yes, I agree.

7 Q Do you agree that the British Commonwealth
8 of Nations had to defend themselves in every ocean
9 as well as the Mediterranean Sea, from a naval point
10 of view?

11 A Yes. However, we must take into consideration
12 the mobility of the navy, the very great mobility of
13 the navy.

14 Q Under those circumstances, how could you
15 expect that those nations would accept the Japanese
16 proposal of a common upper limit for all navies?

17 A The Japanese navy recognizes that, depending
18 on the national circumstances, every nation has its
19 vulnerability; and, therefore, the Japanese proposal
20 recognizes some amount of flexibility in its proposal
21 for a common upper limit.

22 Q Was not the truth that you did not expect
23 them to accept it?

24 A We had expected from our hearts that it would
25 be accepted.

1 Q Was not the truth that you put forward the
2 proposal in order that the conference might fail and
3 you might be freed from restrictions?

4 A That is not so.

5 Q Now, in paragraph 4 of your affidavit, the
6 first paragraph on page 4, you say that as a result
7 of the failure the third supplementary program was
8 drafted. When was that?

9 A That was 1937.

10 Q You say it was not drafted until 1937?

11 A Yes.

12 Q I see you say in it that it included two
13 aircraft carriers.

14 A Yes.

15 Q That means two additional ones, of course.

16 A Yes.

17 Q How many had you at that time? Let me put
18 the figures to you from exhibit 916. I suggest you
19 had seven in commission and one under construction.

20 A I do not think I have mentioned that in my
21 affidavit.

22 Q But we know it from Japanese official docu-
23 ment that that was the fact. That was so, wasn't it?

24 A I do not remember this clearly.

25 Q Assuming that those were what you had at

1 that time and the program called for two more, that
2 would make ten in all?

3 A I think that included substitute vessels;
4 the building or construction of substitute vessels.

5 Q How many do you say it would make?

6 A I have no accurate recollection.

7 Q Now, what I want to ask you is this: In May,
8 1936, did the Naval General Staff put forward a pro-
9 posal for fourteen aircraft carriers?

10 A I do not recall that.

11 Q Now, you were Vice-Chief of Naval Staff at
12 this time, and NAGANO was the Navy Minister, wasn't he?

13 A The Naval Minister was not Fleet Admiral
14 NAGANO.

15 Q In June, 1936, I suggest to you that Fleet
16 Admiral NAGANO was the Navy Minister.

17 A I do not -- that date is not -- I do not
18 recall that date.

19 Q Well, it does not matter whether you recall
20 it. If he said this on the 17th of June, 1936, and
21 on many previous occasions about that time, that the
22 army wanted to conduct an offensive to the limit
23 against Russia, while the navy wanted to dupe Britain
24 and the United States and to go against them, would
25 he have been right?

1 A That is not a fact.

2 Q Even if I tell you that he added that he,
3 personally, did not agree with that view?
4

5 A That I do not know -- I would not know.

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13 Q Now the words of all the others, wasn't it?

14 A The fact that Japan was essentially what
15 of the United States, Britain, or the Netherlands
16 East India Company was brought to light
17 against the will of the world.

18 Q Now it was to you that the entry of Japan
19 into the Pacific was one of the causes?

20 A That may be so if viewed objectively, but
21 Japan's entry into the Pacific was not
22 a cause in itself, it was a result of a policy
23 of the United States.

24 Q In the early settlement of the China Incident
25 you mean, do you not, the early defeat of China?

1 Q Well, now, just one or two questions about
2 the later part of your affidavit.

3 On page 7 you say that toward the end of
4 1940 the international situation took a sudden turn
5 for the worse; and you mention certain actions of the
6 United States and of the British Commonwealth as
7 evidence of that. Did it occur to you that the real
8 cause of the sudden turn for the worse was Japan's
9 entering into the Tripartite Pact?

10 A I should think that would be one of the
11 causes.

12 Q And the cause of all the others, wasn't it?

13 A The fact that Japan was economically shut
14 off by the United States, Britain, and the Netherlands
15 East Indies and economic pressure was brought to bear
16 against her was also one of the causes.

17 Q Did it occur to you that the entry of Japan
18 into Northern French Indo-China was one of the causes?

19 A That may be so if viewed objectively, but
20 Japan's advance into Northern French Indo-China was
21 a step used in order to bring about a speedy settle-
22 ment of the China Incident.

23 Q By a speedy settlement of the China Incident
24 you mean, do you not, the speedy defeat of Chiang
25 Kai-shek?

1 A Yes.

2 Q Now you go on to say, at the bottom of the
3 same page, that the naval general staff realized it
4 had to do something about naval armaments in view of
5 the great naval expansion of the United States. Did
6 you realize that the United States had to prepare for
7 the possibility of war with Germany and Italy as well
8 as the possibility of war with Japan?

9 A It is not clear whether the United States
10 was then making war preparations against Japan, but
11 it was clear that the United States was actively
12 engaged in the expansion of its armaments, that it was
13 holding national defense conferences with various
14 powers, that it was reinforcing and preparing defenses
15 and fortifications in the Pacific area and building
16 airfields at various points in the Pacific area.

17 Q But what I wanted to get, to understand from
18 you is this: Why, if you did so, should you assume
19 that any naval building by the United States was
20 directed against Japan only?

21 A That was the judgment we made because from
22 even before that time the United States placed an
23 embargo on exports to Japan and not only that -- not on-
24 ly banned exports to Japan but took such unfriendly --
25 that the United States was taking such steps as an

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1 examination?

2 Major Furness.

3 MR. FURNESS: I wish to ask a question on
4 behalf of the defendant SHIGEMITSU.

5 THE PRESIDENT: Major Furness, this is
6 further examination in chief, is it, or is it cross-
7 examination because SHIGEMITSU was mentioned?

8 MR. FURNESS: I don't care whether it is
9 cross-examination or redirect, your Honor.

10 THE PRESIDENT: It makes a lot of difference.
11 I have to watch the form of the question. You have
12 more liberty in cross-examination than you have in
13 redirect examination.

14 EXAMINATION

15 BY MR. FURNESS:

16 Q Admiral KONDO, do you remember prior to the
17 London Disarmament Conference of 1936 and 1937 having
18 a conversation with the defendant SHIGEMITSU?

19 A I did not engage in any personal conversa-
20 tion or discussion, but we met at conferences frequently.

21 Q At one of those conferences did he express
22 an opinion as to whether or not any reasonable formula
23 submitted by other powers at that conference should be
24 accepted?

25 A I recall that he did advance such a thesis.

1 MR. FURNESS: Now, I want to ask the
2 prosecution whether or not the evidence which they
3 say will come from a certain Baron HARADA will be
4 made available to the defense. I know that Baron
5 HARADA has been dead for some time, and the only
6 evidence which they have must be some writing. I
7 call attention to the statement by Mr. Comyns Carr
8 in which he said that the accused SHIGEMITSU, I sug-
9 gest, is alleged to have said this to a certain
10 Baron HARADA on the 21st of August, 1935.

1 MR. COMYNS CARR: I don't quite understand
2 the question, your Honor. Obviously, if and when
3 it is tendered it will be available to the defense
4 like any other evidence.

5 THE PRESIDENT: We expect it to be tendered
6 in accordance with the rules and nothing more.

7 MR. FURNESS: I would like to call attention
8 to the fact that this differs somewhat from previous
9 cross-examinations by Mr. Comyns Carr in that he
10 mentioned it in his questioning of this witness, whether
11 inadvertently or not, I don't know.

12 THE PRESIDENT: At my suggestion as a matter
13 of fairness.

14 MR. FURNESS: I didn't hear your Honor say
15 when it would be tendered.

16 THE PRESIDENT: I shouldn't have to tell you
17 that if it is tendered it will be tendered in rebuttal.

18 Mr. Brannon.

19 MR. BRANNON: I have only one question to ask
20 the witness on redirect.

21 REDIRECT EXAMINATION

22 BY MR. BRANNON:

23 Q You were asked by the prosecution as follows:
24 "Did you know that as early as September, 1934, that
25 Prime Minister OKADA and the Foreign Secretary, the

1 accused HIROTA, had declared that the Washington
2 Treaty was going to be abrogated even if the other
3 nations agreed to Japan's proposal?" Your answer
4 to that question was "Yes."

5 I will ask you now if you fully understood
6 the question as translated and whether your answer
7 was correct?

8 THE PRESIDENT: You cannot get him to give
9 another answer that way in re-examination. As I have
10 said repeatedly, and as we all know, you can clear up
11 things that are left obscure by the cross-examination.
12 But, nothing has been left obscure by the cross-
13 examination. If something that Mr. Carr said was
14 wrongly translated into Japanese and the witness was
15 given to this wrong translation, then we can have it
16 corrected now, but there is a way of doing that.

17 MR. BRANNON: I was merely informed that the
18 question was misunderstood by the witness and that he
19 wished to correct his answer, and I was only doing it
20 for the purpose of informing the Tribunal as to the
21 correct set of facts.

22 THE PRESIDENT: That is not within the scope of
23 re-examination, but it would be possible for this Court,
24 not being bound by any technical rules, to allow another
25 set of questions. But, it would be a very dangerous

1 precedent.

2 MR. BRANNON: I have no desire to press
3 the matter.

4 MR. HANAI: I am counsel HANAI. I wish to
5 conduct cross-examination on behalf of the accused
6 HIROTA.

7 THE PRESIDENT: It is too late. It would infer
8 re-examination. You should have followed Mr. Comyns
9 Carr or Major Furness, who, if he did anything, cross-
10 examined, although apparently nothing prejudicial to
11 his client was said by the witness. You can only ask
12 questions now with the expressed permission of the
13 Court, and, as I said before, that would be a dangerous
14 precedent. You have got to be vigilant in the conduct
15 of your client's case.

16 MR. HANAI: It will be only a very brief
17 cross-examination, your Honor. May I have the Tribunal's
18 permission?

19 THE PRESIDENT: I think a majority are pre-
20 pared to hear you. Proceed to put your questions.

21 CROSS-EXAMINATION

22 BY MR. HANAI:

23 Q Now, in answer to a question put to you by
24 the prosecutor if you knew whether or not HIROTA and
25 OKADA declared that Japan was prepared to withdraw from

1 precedent.

2 MR. BRANNON: I have no desire to press
3 the matter.

4 MR. HANAI: I am counsel HANAI. I wish to
5 conduct cross-examination on behalf of the accused
6 HIROTA.

7 THE PRESIDENT: It is too late. It would infer
8 re-examination. You should have followed Mr. Comyns
9 Carr or Major Furness, who, if he did anything, cross-
10 examined, although apparently nothing prejudicial to
11 his client was said by the witness. You can only ask
12 questions now with the expressed permission of the
13 Court, and, as I said before, that would be a dangerous
14 precedent. You have got to be vigilant in the conduct
15 of your client's case.

16 MR. HANAI: It will be only a very brief
17 cross-examination, your Honor. May I have the Tribunal's
18 permission?

19 THE PRESIDENT: I think a majority are pre-
20 pared to hear you. Proceed to put your questions.

21 CROSS-EXAMINATION

22 BY MR. HANAI:

23 Q Now, in answer to a question put to you by
24 the prosecutor if you knew whether or not HIROTA and
25 OKADA declared that Japan was prepared to withdraw from

1 the London Naval Conference even if Japan's proposal
2 had been accepted by the other powers and to that
3 question you replied that you knew --

4 THE PRESIDENT: Mr. Comyns Carr.

5 MR. COMYNS CARR: That wasn't the question
6 that was put. The suggestion was not that they were
7 prepared to withdraw from the London Naval Conference,
8 but that they intended to withdraw from the Washington
9 Naval Treaty -- to "abrogate", was the word, the
10 Washington Naval Treaty.

11 A I shall reply. With regard to that point, I
12 should like to make a very important correction. I
13 misunderstood the question. I said that I knew on the
14 impression that the statement was made at the time the
15 Washington Treaty, the declaration for the abrogation
16 of the Washington Treaty, was announced. With respect
17 to anything that took place before that time, I have
18 no recollection.

19 Q Then, does your answer mean that previous to
20 the London Naval Conference, OKADA and HIROTA did not
21 say any such thing?

22 THE MONITOR: Not "London", just "Conference";
23 prior to the Conference.

24 A That is so.

25 MR. HANAI: That is all.

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1 THE PRESIDENT: Mr. Comyns Carr.

2 MR. COMYNS CARR: Your Honor, I was not in
3 time to object to that question and answer, but
4 obviously, in my submission, the most the witness
5 could possibly say was that he wasn't aware of it.

6 THE PRESIDENT: That view is shared by the
7 Bench.

8 Mr. Roberts.

9 MR. ROBERTS: With respect to that, I think
10 the question asked by Mr. Brannon was not translated
11 in Japanese. I think the objection was made before the
12 translation. I am not sure about that.

13 May this witness be excused on the regular
14 terms?

15 THE PRESIDENT: He is excused on the usual
16 terms.

17 (Whereupon, the witness was excused.)
18 - - -

19 MR. ROBERTS: We next call the witness Tatsu-
20 kichi MIYO.
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1 T A T S U K I C H I M I Y O, called as a witness
2 on behalf of the defense, being first duly
3 sworn, testified through Japanese interpreters
4 as follows:

5 DIRECT EXAMINATION

6 BY MR. ROBERTS:

7 Q Please state your name and address.

8 A My name is MIYO, Tatsukichi. My address is
9 No. 36 Taira-Machi, Meguro-ku, Tokyo.

10 MR. ROBERTS: May the witness be shown defense
11 document No. 1976?

12 (Whereupon, a document was handed to
13 the witness.)

14 Q Please examine this document and tell us whether
15 or not it is your sworn affidavit.

16 A This is my affidavit.

17 I should like to make one or two corrections.
18 I wish to make a correction in numbered paragraph 13,
19 toward the end. It is stated in my affidavit -- the
20 following words are found in my affidavit after
21 "December 3rd" should be corrected.

22 THE MONITOR: Slight correction: The English
23 is correctly translated. The Japanese copy has the
24 mistake in it. Where it says "December 3" on page ten,
25 the end of the first paragraph, "December 3", that in

1 Japanese has "December 6." The witness asked for a
2 correction on that.

3 Q Any further corrections?

4 A That is all.

5 Q Is the affidavit now true and correct?

6 A Yes.

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1 MR. ROBERTS: We offer in evidence defense
2 document No. 1976.

3 THE PRESIDENT: Mr. Tavenner.

4 MR. TAVENNER: If the Tribunal please, your
5 attention is called to page 2, paragraph numbered 3,
6 and especially the last sentence in that paragraph.
7 Objection is made on the ground that it contains
8 statements of opinions and conclusion, which should
9 be rejected. That pertains only to the one paragraph
10 under item 3.

11 I now refer to page 4, at the top of the
12 page, the paragraph beginning near the top of the page,
13 the paragraph beginning with the words, "If it was
14 taken," and the succeeding paragraph beginning with
15 the words, "Against this line of thought," constitutes
16 a statement of different situations or hypothetical
17 problems that could have arisen in connection with the
18 strategical planning of the attack on Pearl Harbor.

19 These two paragraphs, we contend, should be
20 rejected in that they are not directed to any issues
21 in the case.

22 In addition, an effort is made in the second
23 line of the second paragraph to assert a conclusion
24 which is objectionable, for that additional reason,
25 relating to the mandated islands.

1 THE PRESIDENT: Where is that, Mr. Tavenner?

2 MR. TAVENNER: The second line of the second
3 paragraph that was just referred to. The paragraph
4 begins, "Against this line of thought." The language --
5 I believe the paragraph is marked 6. It was indistinct
6 on my copy. On page 4 --

7 THE PRESIDENT: It is open to these people
8 to tell us what opinions the Japanese Navy actually
9 entertained, in other words, what actuated them in
10 doing what they did. It would not be usurping our
11 functions to tell us what the Japanese Navy thought
12 as a matter of fact and why they acted as they did.
13 Is he doing more than that in this affidavit?

14 MR. TAVENNER: My main objection to these two
15 paragraphs was not on the basis of conclusions or
16 opinion. However, I do think it is to this particular
17 point he does attempt to assert as a fact a conclusion
18 which he has reached. This is something more than
19 just a mere statement of what they relied upon. This
20 is a statement of fact or a conclusion relating to a
21 matter that is peculiarly within their knowledge, that
22 is, within the knowledge possibly of certain other
23 persons but not of the person that is speaking here.

24 My main objection to these two paragraphs is
25 the fact that they relate to matters that generally --

1 which go into the detail of problems with which they
2 were confronted in the strategic planning of the
3 attack on Pearl Harbor.

4 I desire to call the Tribunal's attention to
5 the last paragraph beginning on page 9 and extending
6 down to item 14 on page 10. Here certain fleet
7 orders are referred to which are already in evidence
8 and an effort is made to construe the meaning of
9 those fleet orders. It is argumentative and, we think,
10 should be objected to.

11 Then, I desire to call the attention of the
12 Tribunal to the paragraph numbered 16 on page 11,
13 referring to the possibility of discovery by the
14 United States, all of which is immaterial to any
15 issue, and the last paragraph consisting of four lines
16 is objected to as stating a conclusion.

17 THE PRESIDENT: Well, we do not want to hear
18 Mr. Roberts.

19 We are all of an opinion that these objec-
20 tions are, to say the least, very, very technical and
21 we should not entertain them.

22 The objections are overruled and the document
23 admitted on the usual terms.

24 CLERK OF THE COURT: Defense document 1976
25 will receive defense exhibit No. 3007.

(Whereupon, the document above
referred to was marked defense exhibit
No. 3007 and received in evidence.)

MR. ROBERTS: I read exhibit 3007:

"My name is Tatsukichi MIYO and I was formerly a captain in the Japanese Navy. I served in Section One (Operations Section) of the Naval General Staff from 1 November 1939 until 27 December 1942. At that time I held the rank of Commander. During this period of service I was placed in charge of air operations and took part in the planning of the Pearl Harbor Operation as well as other operations in the Pacific War. My assignment involved coordinating work between the General Staff and the Combined Fleet.

"1. The Pearl Harbor Attack was decided upon only a short time before the outbreak of war. A study of the circumstances related to the planning and preparation thereof will reveal when it was originated.

"2. Around May 1941, the Headquarters of the Combined Fleet submitted to the General Staff a plan of operations to cope with the possibility of our being drawn into a war with the United States. This plan was based upon the assumption that the United States Fleets would be anchored at Hawaii and that our fleet could deal an initial blow against it through the medium

1 of an air raid by carrier borne planes. This whole
2 idea was a radical departure from the plans of naval
3 defense hitherto designed by the Naval General Staff.
4 Since it was a venturesome plan, the Naval General
5 Staff viewed it with great scepticism and little
6 interest.

7 "Among some of the grounds that made the
8 project appear definitely impractical was the fact
9 that our air strength was not adequate; the degree of
10 secrecy for such an operation would be difficult to
11 maintain; the fact that the United States Fleet might
12 not be in Pearl Harbor at the time designated for the
13 attack, and the difficulty in securing proper intelli-
14 gence for the execution of such operation. In addition
15 to these, at that time both the Army and Navy Supreme
16 Headquarters were in complete accord on the opinion
17 that the Sino-Japanese conflict must be brought to a
18 speedy conclusion and that all other matters pertain-
19 ing to national policies in the Southern Regions and
20 elsewhere should be left to the diplomatic represent-
21 atives of our government for solution.

23 "Moreover, the Navy at that time felt strong-
24 ly that war with the United States could be averted.
25 Such being the case, as said before, the Naval General
Staff considered the Pearl Harbor Attack Plan a fanciful

1 thing and did not take it seriously. In view of this
2 opinion of the Naval General Staff, the Headquarters
3 of the Combined Fleet, in turn, did not press the sub-
4 ject further.

5 "3. However in July of 1941, the United
6 States, Britain and the Netherlands took severe eco-
7 nomic steps toward Japan with the result that the oil
8 supply of the country was shut off. Paralleling these
9 measures, we had had knowledge of United States, Britain
10 and Netherlands war preparations designated against
11 Japan. And the conception of matters at that time in
12 the Navy was that Japan was steadily being encircled.

13 "The Navy, charged with the primary duty of
14 national defense in the Pacific, faced a situation
15 which could not be complacently ignored. Some time in
16 September, and in view of the then existing conditions,
17 my colleagues and I in the General Staff received orders
18 from our superiors to begin making preparations for
19 formulating potential plans of operation against the
20 United States, Britain and the Netherlands. Approximate-
21 ly in the early part of September, Headquarters of the
22 Combined Fleet resubmitted an opinion of the General
23 Staff that an air attack against the United States Fleet
24 at Hawaii was a requisite operation in the event of
25 war. They also notified us that this plan was

1 scheduled to be studied at one of the regular chart
2 maneuvers of the Navy to be held some time in the
3 middle of September with key personnel of the Fleet
4 as the participants. Whereupon the Naval General
5 Staff agreed that if the result of the chart maneuvers
6 were found successful the Hawaii Operation would be
7 taken into consideration and studied.

8 "4. After the maneuver, opinions were ex-
9 changed between the Naval General Staff, Headquarters
10 of the Combined Fleet and Headquarters of the First
11 Air Force Fleet as to whether or not the plan was
12 plausible. A recognition of serious difficulties in
13 the execution of the plan, from a technical viewpoint,
14 resulted from this discussion. The First Air Force
15 Fleet, which would have to take the most active role
16 in the attack, opposed the plan. The Naval General
17 Staff also was opposed to it. It was then decided to
18 make further studies of the matter. Therefore, even
19 at this time, there was no plan acceptable by the High
20 Command directed at attacking the United States Fleet
21 if the Navy was called upon in the event of war."

22
23 THE PRESIDENT: This is a convenient break.
24 We will adjourn for fifteen minutes.

25 (Whereupon, at 1445, a recess was
taken until 1500, after which the proceedings

1 were resumed as follows:)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Roberts.

4 MR. ROBERTS: (Reading) "5. The Head-
5 quarters of the First Air Fleet later reversed their
6 former opinion and around the latter part of Sep-
7 tember 1941, Captain KUROSHIMA, Staff Officer of the
8 Combined Fleet, came to the Naval General Staff and
9 there stated the strong opinion of the Commander in
10 Chief Admiral YAMAMOTO in favor of the plan. The
11 effect of this opinion was that the attack against
12 Pearl Harbor was the only hope of successfully con-
13 ducting naval operations against the United States.
14 It was there pointed out by the General Staff that
15 in the event of war it would be necessary for Japan
16 to secure the main areas of the southern regions such
17 as the Philippines, Netherlands Indies, Malaya, etc.
18 at an early date from the standpoint of self-exis-
19 tence and self-protection. It was recognized that
20 in the face of the steadily increasing military and
21 naval preparedness of the United States, Britain
22 and the Netherlands, a Japanese attempt to secure
23 the southern regions would be difficult of attain-
24 ment, even if virtually all of our air strength was
25 used in such operation.

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19 tence and self-protection. It was recognized that
20 in the face of the steadily increasing military and
21 naval preparedness of the United States, Britain
22 and the Netherlands, a Japanese attempt to secure
23 the southern regions would be difficult of attain-
24 ment, even if virtually all of our air strength was
25 used in such operation.

1 "If it was taken into consideration that
2 our air power would have to be divided if the Hawaii
3 Operation was to take place, a very difficult
4 situation would arise. Furthermore, since a large
5 portion of the Fleet would be involved in the attack
6 on Hawaii, it was evident that a blunder at the very
7 outset of the war would be disastrous. It was sug-
8 gested that the unprotected Mandated Islands should
9 be defended with what available force there was,
10 based upon a plan that in the event the United
11 States Fleet attacked us in the midst of our south-
12 ern operations, the Southern Region Operation
13 Forces could be diverted to meet it. In other
14 words, the more advantageous use of our forces would
15 be to concentrate the main strength in the southern
16 region operations at the outset and to smash the
17 bulk of the enemy strength in that area as quickly
18 as possible: Thereafter, to shift the greater part
19 of our naval air strength to preparation for counter-
20 attack operations against the United States Fleet.

21 "6. Against this line of thought, the Head-
22 quarters of the Combined Fleet maintained that since
23 the Mandated Islands were unprotected, even if the
24 Southern Region Operation Forces were diverted to
25 meet the United States Forces in the event of an

1 invasion, it might be unavailing and the Islands
2 would easily be occupied by American forces. If
3 this occurred the Mandated Areas would be occupied
4 one after another and the line of communication
5 between Japan proper and the Southern Region areas
6 would be severed. Therefore it was deemed vital
7 to stop the United States Fleet before it commenced
8 offensive operations against Japan.

9 "The execution of the Hawaii Operation
10 Plan was so strongly advanced by Commander in Chief
11 YAMAMOTO that he threatened to resign if it was not
12 accepted. Therefore, in view of this set of facts
13 as well as other arguments, the Naval General Staff
14 was compelled to give tentative consent to complete
15 study of the project.

16 "7. The aircraft carrier forces taking
17 part in the Pearl Harbor Attack were formulated as
18 follows:

19 "On September 25th the aircraft carrier
20 ZUIKAKU was completed and commissioned and together
21 with the aircraft carrier SHOKAKU, completed in
22 early August, made up the Fifth Air Force Squadron.
23 This squadron was assigned to the First Air Force
24 Fleet. The aircraft carrier strength of the First
25 Fleet was then as follows:

1 "First Air Force Squadron - composed of the
AKAGI and KAGA.

2 "Second Air Force Squadron - composed of
3 the SORYU and HIRYU.

4 "Fourth Air Force Squadron - composed of
5 the RYUJO and a merchant ship which had been con-
6 verted from the KASUGA MARU.

7 "Fifth Air Force Squadron - composed of the
8 ZUIKAKU and SHOKAKU.

9 "The aircraft carriers of the Fourth Air
10 Force Squadron were small ships of low speed and
11 short radius of action. Furthermore, they were
12 capable of carrying only a small number of old type
13 planes and were unfit for the Hawaii Operation which
14 more than taxed the cruising capacity of the new
15 carriers.
16

17 "8. Again, the air crew personnel and air-
18 planes on each of the above-mentioned carriers was
19 far less than the prescribed number fixed for war
20 time operations.

21 "The Headquarters of the Combined Fleet re-
22 quested that the air crew personnel of the Fourth
23 Air Squadron be diverted to fill vacancies existing
24 in the First and Second Air Force Squadrons. They
25 also requested that trained aviators with aircraft

1 carrier experience be supplied from the Flying Corps
2 ashore for the Fifth Air Force Squadron, together
3 with the request that an increase in the number of
4 carrier borne planes to estimated war time standards
5 be made.

6 "In order to provide trained personnel from
7 shore flying units it was necessary to use instructor
8 personnel of Naval Air Corps training units. This
9 created an additional problem since the then exist-
10 ing conditions were that, even with the number of
11 flying instructors on hand at that time, we were
12 lacking sufficient instructors to meet the demand of
13 training badly needed new pilots. However, because
14 of the insistence of the Commander in Chief this
15 request could not be denied although the central
16 authorities exhibited great reluctance in complying
17 with it since it greatly affected the plan to train
18 an increased number of air crew personnel.

19 "The air crew members mobilized through the
20 above-mentioned measures were assembled in the middle
21 of October. Only one month was allowed for their
22 warming up before the date of departure from the home
23 ports for Hawaii in the middle of November. This
24 hurried training inevitably restricted the personnel
25 to daylight attack tactics as well as daylight landing

1 and take-off practice from the carriers and is respon-
2 sible for the fact that the air force units conduct-
3 ing the attack against Pearl Harbor had to avoid
4 night operations and take-off after daybreak.

5 "9. The question of extending the radius
6 of action of the aircraft carriers was important.
7 Due to the established Japanese naval policy, our
8 warships were so constructed that their cruising
9 ranges were limited to our own waters and were far
10 shorter than the cruising range of warships of the
11 United States. For that reason, three carriers -
12 namely, the AKAGI, SORYU and HIRYU - out of the six
13 aircraft carriers taking part in the Hawaii Opera-
14 tion did not have sufficient radius of action.

15 "As is well known to all navigators, during
16 the winter a strong northeasterly monsoon ranges over
17 the Northern Pacific Ocean with accompanying rough
18 seas. The serious problem of how to refuel our
19 vessels under these conditions presented itself.
20 After considerable study it was decided to carry
21 fuel even in the double bottom of each vessel and to
22 also load fuel drums in every available space aboard
23 ship. By these extra loadings we felt that the Fleet
24 could operate so as to return near the area of the
25 160° East Longitude line, even if refueling on the

way became impossible.

1 "10. There was another problem involved
2 in the use of aerial torpedoes. Previously, in order
3 to secure dead accuracy in attacking warships with
4 aircraft borne torpedoes, it was necessary not only
5 to open fire at sufficiently close range but also to
6 make certain that the torpedoes did not pass under
7 the target.
8

9 "To answer these technical requirements,
10 research studies had been started around 1939 rela-
11 tive to the use of aerial torpedoes against ships at
12 sea. However, satisfactory results were not obtained
13 until the Yokosuka Naval Air Corps and the Aero-
14 nautical Technical Department discovered that the
15 torpedo could be kept from submerging too deeply in
16 the water by attaching a special balancing instru-
17 ment. This was in September 1941.

18 "These studies had not been made with the
19 purpose in mind of attacking Pearl Harbor. The
20 shallow waters of that area introduced a new problem
21 which involved the use of an aerial torpedo with
22 even a more shallow water approach than had been
23 studied in past experiments. Thereafter, hurried
24 research and experiments for this purpose were com-
25 menced early in October. The work of remodeling the

1 torpedoes and equipping them with new balancing
2 instruments was not completed before the aircraft
3 carriers left port to rendezvous at Hitokappu Bay.

4 "Other witnesses will testify more speci-
5 fically as to these matters and will deal with the
6 further hurried preparations that took place.

7 "11. The Imperial Navy, with the hope of
8 restoring peace to the Orient as soon as possible,
9 was exerting her efforts for the speedy settlement
10 of the China Incident. With this object in view
11 the 11th Air Force Fleet, consisting of base air
12 force units, had been diverted for operations in
13 China.

14 "However, when war clouds hung low over
15 the Pacific Ocean in early September, the 11th Air
16 Force Fleet was recalled to Japan to practice pre-
17 paration training to cope with new problems.

18 "The operation in China conducted by the
19 above-mentioned fleet had been mainly of bombing
20 land targets as well as aerial combat. Therefore,
21 in order to prepare for operations inherent to the
22 naval air force, the personnel of the Fleet had to
23 be trained anew in such vital tactics as the bombing
24 of mobile vessels, torpedo attacks, scoutings and
25

1 reconnaissance, aerial navigation, night flying, etc.
2 Such trainings were not only important but required
3 considerable time. To acquire necessary standards,
4 even highly experienced fliers were required to en-
5 dure long hours of renewed rigid training.

1 "It took practically a whole month for the
2 ground crew together with air base equipments to with-
3 draw from China to home bases. On top of that, it
4 required almost another whole month for them to com-
5 plete various preparations for proceeding to new bases
6 where they were to await orders for next operations.
7 Such being the case, the period for the shore based
8 flying units to go through a strenuous preparation
9 training was limited to one month or so. Due to this
10 lack of training various problems arose. The follow-
11 ing is a striking example of it:

12 "According to the original plan of the Naval
13 General Staff, the fighter planes assigned to the Phil-
14ippines operation were to take off from aircraft car-
15riers due to their short cruising radius of action.
16 As a matter of fact, however, there was not sufficient
17 time to be spared for practicing take-off from and land-
18ing on aircraft carriers. Therefore, in the field forces
19 a special study and training was introduced in order to
20 lessen the rate of fuel consumption of these fighter
21 planes. At the same time the Fleet Headquarters mod-
22ified the central authorities plan so that fighter
23 planes would load as much fuel as possible and operate
24 directly from land bases in Formosa. In case some
25 planes would be forced to land on the way due to lack

1 of fuel, rescue means were to be made by the Fleet.

2 "As the above fighter planes had to leave Form-
3 osa before dawn they had to practice night flying. To
4 meet this requirement the Air Fleet forces were forced
5 to suspend the training of less experienced fliers and
6 concentrate all available time and material upon the
7 training of experienced fliers. As a result, the inex-
8 perienceed aircrew members could not fly until the sou-
9 thern area operations reached a definite stage, while
10 on the other hand, the experienced fliers, whose number
11 were naturally limited, became almost exhausted in tak-
12 ing part in continuous operations day after day.

14 "12. The Navy was further unprepared for war
15 as evidenced by the fact that the Air Base Construction
16 Corps was not organized until the probability of war
17 became imminent in November. The Navy Ministry did
18 not consent to the request of the Naval General Staff
19 regarding the draft and organization of the Construc-
20 tion Corps until too late to properly train them.
21 Consequently, conditions were such that this construc-
22 tion corps boarded ship with practically no training
23 just before the outbreak of war. They lacked necessary
24 machinery and other equipment required for hurried con-
25 struction of air bases and met with innumerable diffi-
culties.

1 "13. The Chief of Naval General Staff issued
2 an Imperial Headquarters Naval Directive Number 5, on
3 21 November 1941. This directive has been destroyed
4 by fire but has been reconstructed from memory and it
5 read as follows:

6 "'The Commander-in-Chief of the Combined Fleet
7 shall immediately recall all operating forces under its
8 command and return home if the United States-Japanese
9 negotiations reach an agreement.'

10 "Again, when Commander-in-Chief YAMAMOTO visit-
11 ed Tokyo on 2 December 1941 to say words of farewell,
12 Admiral ITO, now dead, but then Deputy Chief of Naval
13 General Staff, told me that Admiral NAGANO verbally
14 instructed YAMAMOTO as follows:

15
16 "'If the United States-Japanese negotiations
17 become certain of reaching an amicable settlement be-
18 fore the opening of hostilities, all forces under the
19 Combined Fleet will be recalled from deployment to be
20 returned home.'

21 "It was also stated in Combined Fleet Order
22 Number 1 that in the event a great change is observed
23 in the situation, Preparedness Status Number 2 may be
24 retracted to Preparedness Status Number 1. 'A great
25 change in the situation', thought needless to explain,
refers to the United States-Japanese negotiations.

1 That 'Preparedness Status Number 2 may be retracted to
2 Preparedness Status Number 1' meant the retirement of
3 the Fleet Forces to waiting positions from the operation-
4 al theaters of opening hostilities to waiting positions
5 as was shown in Fleet Order Number One. Consequently,
6 our naval forces were so arranged that in the event of
7 a great change in the situation, such as an amicable
8 settlement of problems between the United States and
9 Japan, they would be able to return to Preparedness
10 Status Number 1. That is, the Task Force would retire
11 to the waiting position of the evening of December 3rd,
12 which was 42° North latitude, 170° West longitude.
13 Preparedness Status Number 2 took effect when the Task
14 Force moved into Hawaiian waters after December 3rd, 1941.
15

16 "Further, the Combined Fleet Order dated 22
17 November stipulated that the 'Task Force Group shall
18 operate so that immediate recall from deployment be
19 possible if negotiations with the United States reach
20 a settlement.'

21 "Paragraph 4 of the Task Force Group Order
22 Number 1, dated 23 November said: 'Depending upon cir-
23 cumstances, operations may be suspended in the midst of
24 the trip and this group maybe made to return to Hitokappu
25 Bay, Hokkaido or Mutsu Bay area.'

"14. After the Task Force left Japan, weather fore-

1 casts and various information was sent to them from
2 the General Staff. I was chief assigned to the draft-
3 ing of such information. As I recall, it was on the
4 evening of December 6th when Operations Section Chief
5 Captain TOMIOKA spoke to me and said: 'The Task Force
6 Group proceeding toward Hawaii may be under great strain
7 because of its belief that it may be ordered to return
8 at any moment. As the situation stands at present it
9 can be said there is no prospect of negotiations be-
10 tween the United States and Japan reaching an amicable
11 settlement, so we had better advise them of this fact.'

12 "Therefore, I added this sentence to the tele-
13 gram I was drafting at this time: 'No hope is in sight
14 of United States-Japanese negotiations reaching peaceful
15 settlement.'

16 "I later learned from Rear Admiral KUSAKA, then
17 Chief of Staff of the Task Force Group, that they were
18 considerably worried about receiving such a message too
19 late to be effective, and because of the distance involv-
20 ed were alarmed that they may not receive it at all.

21 "15. The submarines participating in the
22 Hawaiian Operation were ordered to refrain from attack
23 until they knew the aerial offensive had been launched.
24 The sole reason for the above order was the possibil-
25 ity of the submerged submarines missing reception of

1 of the telegram ordering cessation of operations because
2 of success in the negotiations at the last minute.

3 "16. We did not expect that our operation
4 against Pearl Harbor would be entirely undetected by
5 the United States Forces. Rather, we anticipated that
6 there was a great possibility of being detected at least
7 30 or 40 minutes before attack. Our submarines were to
8 reach the waters near Hawaii one day before the sched-
9 uled attack in order to observe. We thought it to be
10 entirely possible that they might be discovered or de-
11 tected prior to the air attack. In fact I later learned
12 that one midget submarine was discovered and sunk one
13 hour before the operation started. We judged that prob-
14 abilities were roughly 90% that radar equipment had been
15 installed at Hawaii and that, if so, our air force
16 units would surely be detected at least 30 or 40 minutes
17 before arriving over their target. Scouting sea planes
18 were also scheduled to operate in the vicinity of Hawaii
19 approximately 30 minutes ahead of the attacking air
20 units. If the two sea planes should be caught by radar
21 we thought it possible the detection of our planes would
22 be made more than an hour before the opening of our
23 attack. And, if detected by visual means, the attack-
24 ing attempt would be discovered at least 30 minutes
25 before the attack.

1 "It was always our firm conviction that all
2 necessary diplomatic steps preceding hostilities
3 would be taken by the proper authorities. We fully
4 expected that before hostilities commenced the United
5 States would know a state of war existed with Japan.

6 "Sworn to on the 30th of June, 1947."

7 You may examine.

8 THE PRESIDENT: Mr. Tavenner.

9 MR. TAVENNER: There will be no cross-examin-
10 ation, if the Tribunal please.

11 MR. ROBERTS: May the witness be excused on
12 the usual terms?

13 THE PRESIDENT: Witness is excused accordingly.

14 (Whereupon, the witness was excused.)

15 MR. ROBERTS: We call as our next witness
16 Mitsuo FUCHIDA.
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1 MITSUO FUCHIDA, called as a witness in
2 behalf of the defense, being first duly sworn,
3 testified through Japanese interpreters as
4 follows:

DIRECT EXAMINATION

BY MR. ROBERTS:

Q Please state your name and address.

A My name is MITSUO FUCHIDA, and my address is
365 Tahara Moto-Cho, Shiki-Gun, Nara Prefecture.MR. ROBERTS: May the witness be shown defense
document No. 1982?(Whereupon a document is shown to
the witness.)Q Please examine this document and tell us wheth-
er it is your sworn affidavit.

A This is my affidavit.

Q Is it true and correct?

A Yes.

MR. ROBERTS: I offer in evidence defense doc-
ument No. 1982.

THE PRESIDENT: Admitted on the usual terms.

CLERK OF THE COURT: Defense document No. 1982
will receive Exhibit Number 3008.(Whereupon, the document above re-
ferred to was marked defense Exhibit No. 3008
and received in evidence.)

1 MR. ROBERTS: I read Exhibit No. 3008:

2 "1. My name is Mitsuo FUCHIDA. I formerly
3 was a captain in the Imperial Japanese Navy. I com-
4 manded the First Air Attack Unit participating in the
5 raid on Pearl Harbor, December 8, 1941.

6 "On the 25th of August 1941 an order was re-
7 ceived for my transfer from the post of Staff Officer
8 of the Third Air Squadron to that of Chief Flight
9 Officer of the Aircraft Carrier AKAGI. A few days later
10 I reported for duty aboard the AKAGI at Yokosuka.

11 "At that time the AKAGI was the Flagship of
12 the First Air Fleet and the Commander-in-Chief was
13 Vice-Admiral NAGUMO. The First Air Fleet was then
14 composed of the carriers AKAGI and KAGA (First Air
15 Squadron) and the SORYU and HIRYU (Second Air Squad-
16 ron.)

17 "2. After taking over the post of Chief
18 Flight Officer of the First Air Fleet and ordered to
19 take charge of the combined training of all the air
20 corps aboard the above mentioned four aircraft carri-
21 ers, as well as to assume unified command of the air
22 force when it should be organized.

23 "Up to that time, there had been a tendency
24 to carry out air training of the fleets in respect to
25 individual carriers, with the result that the over-all

1 strength of the group had not been adequately brought
2 out. It was decided at this point to place special
3 emphasis upon the group training and unified command
4 of all the air corps attached to the First Air Fleet;
5 hence, the above order issued to me in my position as
6 Senior Chief Flight officer of the Fleet.

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1 "Most of the air corps then attached to the
2 First Air Fleet were distributed for training pur-
3 poses among several bases located in southern
4 Kyushu.

5 "I carried on my training duties at the
6 Kagoshima Base and at that time neither I nor any of
7 the other members of the flying corps even knew that
8 the idea of the attack on Pearl Harbor had been con-
9 ceived. We carried on the above-mentioned group
10 training throughout September in the belief that it
11 was our so-called 'annual training'.

12 "Toward the end of September - I do not re-
13 member the exact date - Lieutenant Commander GENDA,
14 then Tactical Staff Officer of the First Air Fleet,
15 came to me under orders from above with the in-
16 struction that as the negotiations with America were
17 becoming more and more critical, the idea had been
18 conceived that in the event of war breaking out be-
19 tween Japan and America, an aerial attack should be
20 made at the outset of the war against the main force
21 of the American fleet located in Hawaiian waters.
22 And hence, that studies and training such as would
23 enable our aircraft to meet the tactical needs of
24 such an attack should be secretly carried out.

25 "It was further explained to me that the

1 object of this operation was to make an aerial attack
2 against the main force of the American Fleet pre-
3 sumably located around Pearl Harbor so as to make
4 it difficult for a time for the American Fleet to
5 come across the ocean, and thereby enable us to com-
6 plete our operations in the South during that time;
7 and hence, that the general plan was to make aircraft
8 carriers and capital ships the primary target with
9 the local airfields and the air force based there the
10 secondary targets in order to preclude their being
11 used in counter-attack.

12 "This instruction was given only to myself
13 and Lieutenant MURATA, who was also a Chief Flight
14 Officer of the Akagi, and none of the others in the
15 air corps knew anything about it.

16 "Lieutenant MURATA, being an expert on tor-
17 pedo attack, was especially instructed to take part
18 in this study. It was originally intended to use
19 torpedoes as the principal weapon in the attack on
20 Pearl Harbor. Beginning early in October we there-
21 fore incorporated the study of the idea of the Pearl
22 Harbor attack into our training to determine whether
23 or not such an attack was plausible or could be suc-
24 cessfully executed.

25 "Many problems came up in connection with the

1 study and training concerning the execution of the
2 plan of attack on Pearl Harbor. The waters of Pearl
3 Harbor, being very narrow and only about 12 meters
4 deep, it was felt that the ordinary torpedo attack
5 method, hitherto used in training which caused tor-
6 pedoes to penetrate the water to a depth of approxi-
7 mately 60 meters, would result in the torpedoes
8 striking bottom and hence nullifying their effect.
9 In our study and training, therefore, we worked very
10 hard to effect a torpedo firing method which could be
11 adapted for use in shallow waters.

12 "Near the very end of our training period,
13 around the middle of November, we came to the con-
14 clusion, as a result of our studies, that the most
15 effective firing method was to have the planes fire
16 from a height of 20 meters and at an air speed of
17 160 knots with the plane flying parallel to the water.
18 As we were then supplied with torpedoes equipped with
19 stabilizing gears, we selected a spot in the narrow
20 waters of Kagoshima Bay where the depth was 12 meters
21 and practiced firing until we gained confidence in
22 shallow water torpedo operation.

23 "This final training was carried out two
24 days prior to the departure of the fleet from Saeki
25 Bay and barely in time. A study of torpedoes with

1 stabilizing gears, together with research in shallow
2 water torpedo firing, were carried out on the basis
3 of our demands, and it was proved that the above tor-
4 pedo was most effective when fired in shallow waters.
5 However, the total number of required torpedoes had
6 not been prepared and could not be supplied before
7 the departure of the fleet. Hence the aircraft car-
8 rier Kaga remained behind for approximately three
9 days in Sasebo, and after receiving the remaining
10 torpedoes followed the fleet.

11 "The attack on Pearl Harbor demanded the use
12 of as many high accuracy torpedoes as possible. It
13 was decided, however, to use horizontal bombing also
14 for the following reasons:

15 "1. Although the problem of shallow firing
16 suitable for the waters of Pearl Harbor was thus
17 solved, such firing method required special skill
18 and we felt some uneasiness in the case of flyers who
19 had not been highly trained.

20 "2. Should the American Fleet at anchor be
21 protected by torpedo nets, the torpedoes we intended
22 to use against them would prove ineffective.

23 "3. It was reckoned that American warships
24 would be lying two abreast while at anchor. In such
25 case the only possible means of attack against the

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1 one lying on the landward side would be by bombs.

2 "Since the accuracy of our Navy's horizon-
3 tal bombing at the time was not very high, we de-
4 cided on the formation 'Probable' bombing method.
5 And in order to increase the number of attacking
6 units we reduced the number of planes per formation
7 from nine to five. In order to maintain the hitting
8 percentage, it was decided to reduce the bombing
9 altitude to 3,000 meters which was the minimum
10 height calculated to enable the bombs which we then
11 intended to use (converted 16-inch shells) to pierce
12 the armor of the American capital ships. Under those
13 conditions it was calculated that such skill of the
14 bombing leaders as we could count upon at the time
15 would make it possible for the tactical demands of
16 the operations against the anchored battle ships to
17 be satisfactorily met.

18 "However, the 800 kilogram armor-piercing
19 bombs which were to be used for this operation were
20 16-inch shells urgently converted for the purpose.
21 Consequently, in the event of their being carried
22 by planes, it necessitated the reconstruction of
23 the bombing apparatus of the plane structure.
24

25 "The supply of bombs was made in time for
the departure of the fleet from Saeki Bay. However,

1 the reconstruction of the bombing apparatus of the
2 newly received planes fell behind schedule. Hence,
3 the aircraft carriers took workmen on board and en
4 route from the port of departure to the rendezvous
5 point at Hitokappu Bay and completed reconstruction.

6 "The aircraft carrier Zuikaku was completed
7 on 25 September 1941, and the carrier Shokaku a short
8 time earlier. Out of these two, the Fifth Air
9 Squadron was organized and incorporated into the First
10 Air Fleet. But as their crews had to be hurriedly
11 trained, with the training of less than a month,
12 their training and proficiency was not adequate. It
13 was therefore decided to use the flyers belonging to
14 the First and Second Air Squadrons in the attacks
15 against warships since that required special skill,
16 and the flyers belonging to the Fifth Air Squadron were
17 to be used in the attack against the airfields.

18 "It was first intended, at the beginning of
19 the training, to have the planes take off from the
20 carriers at night so as to make the attack on Pearl
21 Harbor at dawn. But the training and proficiency of
22 the flyers, especially when those of the newly organ-
23 ized Fifth Air Squadron was considered, was not be-
24 lieved sufficient to enable them to take off at night
25 on group flight. Hence, when the training ended, I

1 reported this opinion in effect to my superiors
2 and the original dawn attack plan was changed so
3 as to have the planes take off from the carriers
4 at dawn and to make the attack by daylight."

5 Sworn to on this --
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1 THE PRESIDENT: What are you endeavoring
2 to prove in reading this material? We know the
3 attack took place and that it was highly successful.

4 MR. ROBERTS: The main purpose is to show the
5 lack of preparation by the navy for war at the time.

6 THE PRESIDENT: You do not prove that by
7 showing it was a very successful operation. That is
8 the main purpose of that affidavit.

9 MR. ROBERTS: They also mention the many
10 difficulties they encountered in their hurried train-
11 ing period because of the fact that they were informed
12 only one month before and, as stated in the affidavit
13 of the preceding witness, the success of the surprise--
14 the success of the attack was as much a surprise to
15 them as it was to the United States.

16 You may cross-examine.

17 THE PRESIDENT: Mr. Tavenner.

18 MR. TAVENNER: No cross-examination, if the
19 Tribunal please.

20 THE PRESIDENT: The witness is excused on
21 the usual terms.

22 (Whereupon, the witness was excused.)

23 MR. ROBERTS: We call as our next witness
24 Minoru GENDA.
25

1 M I N O R U G E N D A, called as a witness on behalf
2 of the defense, being first duly sworn, testified
3 through Japanese interpreters as follows:

4 DIRECT EXAMINATION

5 BY MR. ROBERTS:

6 Q Please state your name and address.

7 A My address: No. 147 Higashi Koshima-cho,
8 City of Nagasaki; my name is GENDA, Minoru.

9 MR. ROBERTS: May the witness be shown
10 defense document No. 1974.

11 Q Please examine this document and tell us
12 whether it is your sworn affidavit.

13 A This is my affidavit.

14 Q Is it true and correct?

15 A Yes.

16 MR. ROBERTS: I offer in evidence defense
17 document No. 1974.

18 THE PRESIDENT: Mr. Tavenner.

19 MR. TAVENNER: If the Tribunal please, we
20 concede as relevant and material through item 2 down to
21 item 3 on page 2 and also the matter relating to an
22 additional order appearing near the bottom of page 4
23 and extending through items A and B on page 5. The rest
24 of the affidavit we contend to be immaterial and irrele-
25 vant in that it descends to great particularity regarding

1 matters that are not material and which are repetitive
2 in character.

3 THE PRESIDENT: Mr. Roberts.

4 MR. ROBERTS: The prosecution went to great
5 length to introduce testimony from yeomen and other
6 naval men concerning the attack on Pearl Harbor and
7 went into much detail thereon. We are introducing
8 here in addition to members of the General Staff who
9 drew the plans and were familiar with the actual
10 operations the various staff officers of the Combined
11 Fleet who acted -- these are the men who acted upon
12 the orders, who carried out the orders issued by the
13 General Staff.

14 THE PRESIDENT: As I am reminded, the
15 prosecution had the onus of proving that Pearl Harbor
16 occurred but you have no onus of showing how success-
17 ful it was or why it was successful. That is no
18 relevant matter. It is cumulative in any event.

19 MR. ROBERTS: Although this fact may be
20 collaterally proved in our evidence, that is not the
21 main reason for the evidence that we are advancing at
22 this time. The Indictment charges and the prosecution
23 has attempted to prove that the plans were long
24 drawn out, that they were in existence for a long
25 time before December 7, 1941. We want to show by the

1 men who issued the orders, by the men who carried
2 them out, that such was not the fact and directly
3 refute the charges made by the prosecution and con-
4 tained in the Indictment.

5 This gives all the facts and circumstances
6 surrounding the attack on Pearl Harbor, tells when it
7 arose and what actually took place at that time; and
8 although it may prove the success, that is not the
9 idea that we are trying to carry out. We are simply
10 trying to give you all the facts and give you their
11 side of the story and we also want to convince this
12 Court that Order No. 1, wherein the navy was advised
13 that in case the negotiation was successful, the navy
14 was to withdraw. Those are matters of defense that are
15 vital to all of the accused.

16 With respect to the instructions referred to
17 in the affidavit, those are the instructions which this
18 man says he drew up himself and with which he, of
19 course, should be familiar. Those were verbal instruc-
20 tions.

21 It is also the contention of the defense that
22 these facts refute any possible charge of conspiracy on
23 the part of the defendants.

24 THE PRESIDENT: By a majority the objection is
25 overruled and the document admitted on the usual terms.

1 CLERK OF THE COURT: Defense document 1974
2 will receive exhibit No. 3009.

3 (Whereupon, the document above
4 referred to was marked defense exhibit
5 No. 3009 and received in evidence.)

6 MR. ROBERTS: I read exhibit 3009:

7 "My name is Minoru GENDA and I formerly was
8 a captain in the Japanese navy. I was appointed Staff
9 Officer of the First Air Squadron on 1 November 1940.
10 On 15 November 1940 I was promoted to the rank of
11 commander. On 1 April 1941 I became Staff Officer of
12 the First Air Fleet and remained at that position
13 until the latter part of June 1942.

14 "Early in February 1941 when the Flagship
15 Kaga was anchored in Ariake Bay (Kyushu), I received
16 a letter from the Chief of Staff of the 11th Air Fleet,
17 Rear Admiral ONISHI, with whom I was personally well
18 acquainted. In this letter he asked me to come to
19 Kanoya at once as he wanted to see me on important
20 business. So I proceeded to Kanoya on the following
21 day and called on him at the Fleet Headquarters.

22 "He then showed me a private letter which he
23 had received from Vice-Admiral YAMAMOTO, Commander in
24 Chief of the Combined Fleet. I do not know where this
25 letter is at the present time but in substance it was

1 as follows:

2 "In the event of outbreak of war with the
3 United States, there would be little prospect of our
4 operations succeeding unless, at the very outset, we
5 can deal a crushing blow to the main force of the
6 American Fleet in Hawaiian waters by using the full
7 strength of the First and Second Air Squadrons and thus
8 to preclude the possibility of the American Fleet
9 advancing in offensive operations in the Western
10 Pacific for some time. And it is my desire that I be
11 given command of this air attack force so that I may
12 carry out the operation myself. Please make a study
13 of this operation.'

14 "Rear Admiral ONISHI then said to me:

15 'Please make this study in utmost secrecy, with
16 special attention to the feasibility of the operation,
17 method of execution and the forces to be used.'

18 "I commenced this study upon returning to my
19 ship and after a week or ten days I again called on
20 Rear Admiral ONISHI and handed him my answer. I
21 criticized the plan from several aspects and concluded
22 that the attack, while extremely difficult, was not
23 impossible. With some slight reference to my answer,
24 Rear Admiral ONISHI prepared his views on the matter
25 and sent them to the Commander in Chief of the Combined

1 Fleet.

2 "At the time of the organization of the
3 First Air Fleet in April of 1941, the only officers in
4 the Headquarters of the said fleet who were aware of
5 YAMAMOTO's idea of an attack on Pearl Harbor were
6 Commander in Chief Vice-Admiral NAGUMO, Chief of
7 Staff Rear Admiral KUSAKA, Senior Staff Officer
8 Captain OISHI and myself. From that time until the
9 early part of September we did not undertake to draw
10 up any concrete plan with reference to this operation.

11 "Early in September Rear Admiral KUSAKA,
12 Chief of Staff, summoned the Staff and ordered us to
13 study and draft a plan for this attack and I was
14 named Secretary for this purpose. After working for
15 about a week aboard the Akagi I completed a preliminary
16 plan. While this preliminary plan was in the main
17 similar to the Operation Plan that was actually
18 executed, it differed from the latter in the following
19 respects:
20

21 "A. The point of rendezvous prior to
22 departure for the attack was fixed at Atsugishi Bay or
23 Mutsukai Bay.

24 "B. There was no connection with the advance
25 force (submarines).

"C. There was nothing concrete as to time.

1 "D. The air raid plan was not worked out in
2 detail.

3 "Around the 12th or 13th of September the
4 chart maneuvers of the Combined Fleet were held at the
5 Naval Staff College. The maneuvers relating to the
6 Hawaiian Operations which were carried out separately
7 from the general maneuvers were, for the most part,
8 based on the above preliminary plan, the one difference
9 being that it made use of Hitokappu Bay as the rendezvous
10 point.

11 "I believe it was on the 1st of October 1941
12 that Vice-Admiral NAGUMO summoned the Headquarters
13 personnel of the various air squadrons and commanders,
14 chief flying officers and squadron leaders of all the
15 carriers to his flagship and issued the instruction
16 that since this fleet would receive the assignment to
17 attack Hawaii, in the event of war, the training and
18 study of the Fleet thenceforth should be carried out
19 with emphasis on that point.

20
21 "The last chart maneuver of the Combined
22 Fleet was held aboard the NAGATO in the western part
23 of the Inland Sea early in October and was carried out
24 on the basis of the three-carrier plan.

25 "At the Task Force Headquarters, the Senior
Staff Officer drafted the Hawaii Operation Plan

1 (Secret Task Force Order No. 1) toward the end of
2 October and then took it to the Combined Fleet Head-
3 quarters for approval. On the second of November the
4 whole of the Task Force (with the exception of the
5 fighter plane force and the Second Submarine Squadron)
6 rendezvoused in Ariake Bay. All unit commanders and
7 above, together with flying officers, were summoned
8 aboard the Flagship Akagi where they were told of the
9 duties that would be assigned to our Task Force in the
10 event of war and that, by way of preliminary training,
11 maneuvers would be carried out with Saeki and Sukumo
12 as targets, and the plan for these maneuvers was
13 explained.

14 "I do not have a clear recollection as to
15 when we received the Combined Fleet General Order
16 Number 1 but I believe it was just after we had com-
17 pleted the above maneuvers. The Task Force Order
18 Number 1 was immediately printed and a part was dis-
19 tributed on 17 November prior to departure from Saeki
20 Bay to the advance force (submarines) and other
21 necessary quarters with the date of issue of the
22 order left in blank. The balance were distributed
23 with the date of issue filled in and distributed upon
24 arrival at Hitokappu Bay.

25 "I believe that the part of the Combined
Fleet General Order No. 1 pertaining to the Task Force

1 (whether that part had been cut out from the General
2 Order or printed as a separate pamphlet I do not
3 recall) was as follows:

4 "The Task Force, keeping its movements in
5 utmost secrecy and in accordance with a special order,
6 shall advance into the Hawaii area; and immediately
7 upon commencement of war it shall attack the main force
8 of the American Fleet in the Hawaii area and deal it
9 a mortal blow.

10 "Air attack is scheduled for dawn of X day
11 (exact date to be given by a later order).

12 "Upon completion of the air attack, the
13 Task Force is to return to Japan.

14 "Should the negotiations with America prove
15 successful, the Task Force is to return at once.'

16 "Although the Task Force Order No. 1 was
17 probably the same, in the main, as the exhibit sub-
18 mitted in evidence by the prosecution I recall that
19 communication and supply plans were attached to it.

20 "The ships of the Task Force, upon completion
21 of preparations, came to Saeki Bay one by one; and by
22 the 16th all had rendezvoused there with the exception
23 of the Kaga.

24 "On the 17th, the ships left Saeki at intervals
25 in scattered groups and rendezvoused at Hitokappu Bay
on the 22d. The Kaga arrived there somewhat later.

1 The Task Force Order No. 3, which was the plan of air
2 attack, was completed at this time and distributed to
3 all the ships together with Order No. 1 on 24th November.
4 This Order Number 3, I believe, was much the same as
5 that submitted by the prosecution.

6 "In addition to the above orders, there was
7 issued to the various units an order in the form of
8 verbal instructions from the Chief of Staff pertaining
9 to the measures to be taken under various conditions.
10 Most of this order I drafted myself. Its principal
11 points were the following:

12 "A. If, while proceeding eastward from
13 Hitokappu Bay, the Task Force should encounter
14 American warships, merchantmen or airplanes or
15 neutral merchantmen, it should change direction
16 sharply as soon as discovery is made by the patrol
17 vessel; but advance toward the objective should be
18 continued while maintaining greatest secrecy as to
19 position. If the whole of the Task Force is discovered,
20 turn back as though nothing had happened; but if such
21 discovery is made on X-1 day or later, resolutely
22 carry out the attack.

23 "B. If all the attendant conditions dictate
24 an assault, despatch the combat planes of the second
25 attack corps at the same time as those of the first
attack corps.

1 "Torpedo and bomb attacks are to be carried
2 out while the 81 combat planes maintain control of
3 the air.

4 "All unit commanders and flying officers of
5 the Task Force were summoned aboard the Akagi on 24th
6 November for final explanation of the operation plans
7 and consultations, and the start for the attack was
8 made from Hitokappu Bay on the 26th."

9 You may examine.

10 MR. TAVENNER: I have only one question,
11 your Honor.

12 THE PRESIDENT: You had better put it
13 tomorrow. Only one?

14 MR. TAVENNER: Yes.

15 CROSS-EXAMINATION

16 BY MR. TAVENNER:

17 Q You refer to the fact that this order was
18 a verbal instruction and yet you prepared the draft.
19 Where is the draft and will you present it?

20 A May I have the question repeated?

21 (Whereupon, the last question was
22 read by the Japanese court reporter.)

23 A In the Japanese navy orders issued by the
24 Chief of Staff of this kind are issued in writing and
25 are issued in the name of the Commander in Chief,

1 the order taking the form of a verbal order of the
2 Chief of Staff. There are no such documents in
3 existence now. In the Japanese navy these orders
4 are called verbal orders issued by the Chief of
5 Staff and are actually in writing but there are no
6 such orders -- but there are no such documents now
7 in existence.

8 MR. ROBERTS: May the witness be excused
9 on the usual terms?

10 THE PRESIDENT: He is excused on the usual
11 terms.

12 (Whereupon, the witness was excused.)

13 THE PRESIDENT: I desire Mr. Tavenner, the
14 Dutch prosecutor and Major Blakeney to meet Justice
15 Roling and me in Chambers tomorrow morning to deal
16 with the matter relating to proposed witnesses in
17 the Netherlands East Indies at nine o'clock in the
18 morning.

19 We will adjourn until half-past nine
20 tomorrow morning.

21 (Whereupon, at 1605, an adjournment
22 was taken until Tuesday, 26 August 1947, at
23 0930.)
24
25

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